TOWN BOARD MEETING MINUTES April 12, 2018

Town Board Meeting of the Town of Owasco was held on April 12, 2018, At 4:00 PM in the Owasco Town Hall with the following members present:

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

ABSENT: Councilperson Ashley Melendez

OTHERS PRESENT: Riccardo Galbato, Bob Bruno, Mary Beth Leeson.

CALL TO ORDER: <u>4:11 PM</u>

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 18-044 approval of Town Board Agenda for April 12, 2018.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

Roll call vote:Councilperson Knaul
Councilperson KerstetterYes
YesCouncilperson Gucciardi
YesSupervisor WagnerYes

APPROVAL OF MINUTES:

<u>RESOLUTION 18-045</u> approval of Town Board Minutes for March 7, 2018.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

Roll call vote:Councilperson Knaul
Councilperson KerstetterYes
Yes
Supervisor WagnerCouncilperson Gucciardi Yes
Councilperson Melendez Absent

<u>COMMUNICATIONS:</u> Letter of termination to CCSWCD.

<u>PUBLIC PARTICIPATION:</u> A resident landscaper came to the board with concerns of the towns proposed change to the recycling center local law that would charge a fee for the dumping of brush and yard clipping at the towns recycling center.

Resolved: Highway Superintendent Bob Bruno explained that the town is paying roughly \$12,000.00 a year to have the brush mulched with a lot of the waist being brought in by Commercial haulers that are charging for their service and dumping at our town for free, if they went to the City of Auburn they would be charged a fee as well.

Supervisor Wagner said it would go for public hearing and published in The Citizen with a date of the public hearing.

<u>NEW BUSINESS:</u> Mary Beth Leeson with Cuddy & Ward, LLP will present the findings for the 2017 Town Audit.

OLD BUSINESS:

<u>**RESOLUTION 18-046:**</u> Motion to approve and accept the 2017 Town & Justice Audit presented by Mary Beth Leeson with Cuddy & Ward, LLP.

Motion by: Councilperson Kerstetter . Second Councilperson Gucciardi

Roll call vote:Councilperson KnaulYesCouncilperson Gucciardi YesCouncilperson KerstetterYesCouncilperson MelendezAbsentSupervisor WagnerYesYesCouncilperson Melendez

<u>RESOLUTION 18-047</u> AUTHORIZING A CHANGE IN THE DESIGNATED PAYEE RECEIVING BUDGETED FUNDS FOR THE OWASCO WATERSHED INSPECTION PROGRAM

WHEREAS, The Owasco Town Board authorized the execution of an Agreement by and between the City of Auburn, the Town of Owasco, the County of Cayuga, and the Owasco Lake Watershed Management Council, Inc. (the "Management Council"); and

WHEREAS, pursuant to Part B of the Agreement, beginning January 1,2018, the Town of Owasco agreed to provide quarterly payments to the Management Council for the operation and management of the Watershed Inspection Program; and

WHEREAS, the existing Town budget directs that the foregoing payments be made to designated payee Cayuga County Soil and Water Conservation District; and

WHEREAS, this resolution proposes to change the designated payee receiving budget funds from Cayuga County Soil and Water Conservation District to the Owasco Lake Watershed Management Council, Inc., so as to comply with the Agreement.

NOW THEREFORE BE IT RESOLVED that the Owasco Town Board does hereby authorize and direct that the designated payee, who shall receive budgeted funds for the Owasco Watershed Inspection Program, be changed from the Cayuga County Soil and Water Conservation District to the Owasco Lake Watershed Management Council, Inc., in accordance with the Agreement.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

Roll call vote:Councilperson KnaulYesCouncilperson Gucciardi YesCouncilperson KerstetterYesCouncilperson MelendezAbsentSupervisor WagnerYesYesCouncilperson Melendez

<u>RESOLUTION 18-048</u> A RESOLUTION AUTHORIZING THE AWARD OF ADDITIVE BID NO. 1 FOR THE TOWN OF OWASCO, OWASCO WATER DISTRICT IMPROVEMENTS OWASCO WATER MAIN REPLACEMENT PROJECT, CONTRACT NO. 1 – GENERAL CONSTRUCTION

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

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

WHEREAS, the Town of Owasco (Town) is proposing the Owasco Water Main Replacement Project (Project), located in the Town of Owasco, Cayuga County, New York, to address the deficiencies in the Town water system;

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 feet 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; and

•Replace approximately 250 feet of water main along Archie Street near Melrose Road with 8" PVC water main;

WHEREAS, by **Resolution 17-203** adopted by the Town on 11.9.17 the Town Board declared its intent to assume the role of "Lead Agency" for purposes of conducting a SEQRA review of the Project and said Resolution stated, in part:

"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;"

WHEREAS, on <u>November 2, 2017</u> 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. The Notice of Public Hearing stated:

"PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Owasco on Thursday November 9, 2017 at 4:00 p.m. at the Owasco Town Hall, 2 Bristol Avenue, Auburn, New York 13021 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. Several water mains located in the Town of Owasco are undersized or reaching the end of their useful lives. Based on hydraulic review of the water system and discussion with the Owasco water operator it is proposed for the following sections of water mains to be replaced:

- 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 Emerson Park with 8" PVC water main;
- Replace approximately 3,650 feet of water main along Melrose Road from Route 38A to just past 2nd Avenue with 8" PVC water main;
- Replace approximately 250 feet of water main along Archie Street near Melrose Road with 8" PVC water main.

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";

WHEREAS, on 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;

WHEREAS, the Project is classified as "Unlisted" as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4;

WHEREAS, by Resolution 17-204 adopted by the Town on 11.9.17, the Town Board approved 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;

WHEREAS, on 11.15.17 the Town sent a letter and Part 1 of a Short Environmental Assessment Form (SEAF) to the potentially "Interested" and "Involved Agencies" (as this term is defined in the SEQRA Regulations found at 6 NYCRR Part 617), listed in Resolution 17-203 indicating the Town's desire to serve as the "Lead Agency" (as this quoted term is defined in the SEQRA Regulations) and to complete a coordinated review of the Project (in accordance with 6 NYCRR Part 617.6);

WHEREAS, responses from Interested and Involved Agencies were requested, and each of the potentially Interested and Involved Agencies has agreed to, or raised no objections to, the Town of Owasco Town Board serving as Lead Agency for the Project;

WHEREAS, by **Resolution 17-230** adopted by the Town on 12.14.17 the Town Board determined that the proposed Owasco Water Main Replacement Project is an Unlisted Action and will not have a significant adverse impact on the environment and issued a Negative Declaration pursuant to SEQRA;

WHEREAS, on 12.14.17 by **Resolution 17-231** the Town Board passed a Bond Resolution authorizing the issuance of \$1,999,000.00 Serial Bonds to finance the cost of the Town of Owasco Water District Improvements;

WHEREAS, on 2.8.18 by Resolution 18-032, the Town Board authorized the advertisement and solicitation of Bids for the Owasco Water Main Replacement Project, Contract No. 1 – General Construction;

WHEREAS, on 2.11.18 the Advertisement of Bids was published in The Citizen;

WHEREAS, pursuant to New York State Municipal Law, bids for the project were received, publicly opened and read aloud on this date, 2.27.18 at the Town of Owasco Town Hall, 2 Bristol Avenue, Auburn NY 13021;

WHEREAS, the Town Engineer, Barton & Loguidice, D.P.C., analyzed the bids received by Tabulation of Bids Received dated 2.27.18, and by letter dated 2.27.18, and has recommended award of the Base Bid ONLY for the **Owasco Water Main Replacement Project, Contract No. 1 – General Construction**;

WHEREAS, on 2.27.18 by Resolution 18-036 the Town Board awarded the Contract for the Owasco Water Main Replacement Project, Contract No. 1 – General Construction to R. B. Robinson Contracting Inc. in the amount of **\$1,413,025.00 for the Base Bid.** This Resolution was subject to written approval of the Town Engineer on obtaining satisfactory references that demonstrate R. B. Robinson Contracting Inc. has successfully completed projects of similar size and scope and Town Attorney approval. Both contingencies were subsequently satisfied; and

WHEREAS, the Town Engineer, Barton & Loguidice, D.P.C., is now recommending award of the Additive Bid No. 1 of the Bid from R. B. Robinson Contracting Inc. in the amount of \$461,258.75 for the Owasco Water Main Replacement Project, Contract No. 1 – General Construction.

NOW, THEREFORE, BE IT RESOLVED, that based on the recommendation of Barton & Loguidice, D.P.C., the Owasco Town Board hereby awards the Contract for the Owasco Water Main Replacement Project, Contract No. 1 – General Construction to R. B. Robinson Contracting Inc. in the amount of \$461,258.75 for ADDITIVE BID NO. 1.

Motion by: Councilperson Kerstetter . Second Councilperson Gucciardi

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

<u>RESOLUTION 18-049</u> to approve Supervisor Wagner to sign a letter of support asking the NYS Assembly and Senate Leaders for their support of the SWAP Bill to support Save Water Infrastructure Action Program.

Motion by: <u>Councilperson Kerstetter</u>. Second <u>Councilperson Gucciardi</u>

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

<u>ESOLUTION 18-050</u> to authorize Supervisor to sign notice of termination agreement with the Cayuga County Soil and Water Conservation District (CCSWCD).

Motion by Councilperson Knaul; Second Councilperson Gucciardi,

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

<u>RESOLUTION 18-051</u> to authoize Supervisor to sign agreeement with NYS Public Entities Safety Group for Workers Compensation Insurance, also authorizing Supervisor to cancel membership with NYMIR.

WHEREAS, Comp Alliance annual premumin for 2018 is \$49,704.00.

- WHEREAS, NYS Public Entities Safety Group premium is \$46,642.00 less estimated 5 year average dividend payment of 27% is \$9,901.00.
- WHEREAS, projected net cost is \$36,741.00. The projected savings is estimated at \$12,963.00 for the year.

WHEREAS, the NYS Public Entities Safety Group has a guarenteed premium cost as compaired to NYMIR which can back charge any loss associated with a membership.

Motion by: Councilperson Kerstetter . Second Councilperson Gucciardi

Roll call vote:Councilperson KnaulYes
YesCouncilperson Gucciardi Yes
Councilperson MelendezSupervisor WagnerYes

<u>RESOLUTION 18-052</u> TO SCHEDULE A PUBLIC HEARING FOR PROPOSED LOCAL LAW NO. 1 OF 2018 TO AMEND SECTION 119-3 RECYCLING CENTER RULES.

RESOLVED to authorize the Town Clerk to schedule and publish a public hearing for consideration of proposed Local Law No. 1 of 2018 to amend Chapter 119 Solid Waste, Section 119-3 of the Town of Owasco to provide that a fee to a contractor hired by an Owasco Town resident or Owasco property owner or a governmental entity may be established and adjusted by resolution of the Town Board.

Motion by: Councilperson Kerstetter . Second Councilperson Gucciardi

Roll call vote:Councilperson Knaul
Councilperson KerstetterYes
YesCouncilperson Gucciardi Yes
Councilperson MelendezSupervisor WagnerYes

<u>RESOLUTION 18-053</u> AUTHORIZING THE AWARD OF BID FOR THE FOR THE TOWN OF OWASCO WATER DISTRICT IMPROVEMENTS CONTRACT NO. 1, OWASCO WATER DISTRICT WATER STORAGE TANK DISMANTLE AND REMOVAL

WHEREAS, on 10.26.17 by Resolution 17-194, the Owasco Town Board authorized for the advertisement and solicitation of Bids and/or request for proposals for the Town of Owasco, Owasco Water District, to Dismantle and Remove the approximate 500,000 gallon water tank located at 140 Melrose Road (Tax Map No. 123.08-1-2) in the Town of Owasco;

WHEREAS, on 2.9.18 the Advertisement of Bids was published in The Citizen;

WHEREAS, no bids were received on 2.26.18 at 1:00 pm at the Owasco Town Hall;

WHEREAS, on 2.27.18 by **Resolution 18-037**, the Owasco Town Board authorized for the Advertisement of Bids for the Town of Owasco Water District Improvements Contract No. 1, Owasco Water District Water Storage Tank Dismantle and Removal;

WHEREAS, on 3.06.18 the Advertisement of Bids was published in The Citizen;

WHEREAS, pursuant to New York State Municipal Law, bids for the project were received, publicly opened and read aloud on this date, 3.21.18, at the Town of Owasco Town Hall, 2 Bristol Avenue, Auburn, New York 13021;

NOW, THEREFORE, BE IT RESOLVED, the Owasco Town Board hereby awards the Contract for the **TOWN OF OWASCO WATER DISTRICT IMPROVEMENTS CONTRACT NO. 1, OWASCO WATER DISTRICT WATER STORAGE TANK DISMANTLE AND REMOVAL to All Industrial Services, Inc. in the amount of \$15,696.00.**

Motion by: Councilperson Kerstetter . Second Councilperson Gucciardi

Roll call vote:Councilperson KnaulYesCouncilperson Gucciardi YesCouncilperson KerstetterYesCouncilperson Melendez AbsentSupervisor WagnerYes

<u>RESOLUTION 18-054</u> Resolution to appoint Anthony Gucciardi as board representative and Chris Driscoll as employee representative to the dispute resolution committee for violence in the workplace, sexual harassment and workplace safety.

Motion by: Councilperson Kerstetter. Second Councilperson Gucciardi

Roll call vote:Councilperson KnaulYesCouncilperson Gucciardi YesCouncilperson KerstetterYesCouncilperson MelendezAbsentSupervisor WagnerYesYesCouncilperson Melendez

<u>RESOLUTION 18-055</u> to authorize Supervisor Wagner to sign agreement with Super Seal Sealcoating LLC, to restore basketball court and to convert one tennis court into two pickle ball courts, to color coat around the Bocce Ball Court.

WHEREAS, three bids were sought and the lowest bidder is Super Seal, in the amount of \$23,190.00.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

Roll call vote:Councilperson KnaulYesCouncilperson Gucciardi YesCouncilperson KerstetterNOCouncilperson MelendezAbsentSupervisor WagnerYesYesCouncilperson Melendez

<u>RESOLUTION 18-056</u> Recommended budget modifications for April 2018.

Budget Modifications Recommendations After Closing: March

2018

		(-)	(+)
Acct #	Account Description	Debit	Credit

		\$		1
A1010.400	Town Board - Contractual	200.00		
		\$		7
A1220.403	Supervisor - Training	160.00		
		\$		
A1620.200	Buildings - Equipment	395.00		_
		\$		
A1620.411	Buildings - Computer Maint	130.00		4
		\$		
A8020.110	Planning - Personal Services	1,020.00		4
10100 410		\$		
A8160.413	Refuse & Garbage - Misc	35.00	+	-
			+	-
			\$	-
A1220.130	Supervisor - Clerk		\$ 160.00	
A1220.130		+	160.00 \$	-
A1620.241	Buildings - Computer/Server		ې 130.00	
A1020.2 11			\$	-
A1950.400	Taxes & Assessment on Property		375.00	
			\$	-
A6772.400	Programs for Aging - Senior Nutrition		10.00	
			\$	1
A8020.421	Planning - Legal Fees		1,020.00	
	~ ~		\$	1
A8160.413	Refuse & Garbage - Diesel Fuel		35.00	
		Τ	\$	7
A9050.800	Unemployment Insurance		210.00	
	Totals:	\$ 1,940.00	\$ 1,940.00	\$

			(-)	(+)
Acct #	Account Description		Debit	Credit
			\$	
DA5112-411	Improvements - Misc		60.00	
			\$	
DA5130.200	Machinery - Misc		530.00	
				\$
DA5112.412	Improvements - Hauling			60.00
				\$
DA5130.200	Machinery - Equipment			530.00
		Totals:	\$ 590.00	\$ 590.00

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		(-)	(+)
Acct #	Account Description	Debit	Credit
SS1-		\$	
8130.400	Treatment & Disposal - Contractual	2,854.00	
SS1-		\$	
8197.200	Equipment & Capital Outlany	375.00	
SS1-			\$
1420.421	Legal - Special Projects		383.00

SS1-		ļ	i		\$			
8120.200	Sewage Collection - Equipment	ļ	i		375.0	.00		
SS1-			1		\$			
8140.400	Storm Sewers - Contractual		í		2,46	1.00		
SS1-			1		\$			
9050.800	Unemployment Insurance		L		10.00	iO		
			ı					
			i				┦	
		Totals:	\$	3,229.00	\$	3,229.00	\$	_

		(-)	(+)
Acct #	Account Description	Debit	Credit
SS2-		\$	
8120.410	Sewage Collection - Misc	350.00	
SS2-		\$	
8120.459	Sewage Collection - Grinder Pump REPAIR	2,250.00	
SS2-		\$	
8120.461	Sewage Collection - Grinder Pump NEW INSTALL	322.00	
SS2-			\$
1420.421	Legal - Special Projects		104.00
SS2-			\$
8110.151	Sewer Admin - Clerk Special Project		560.00
SS2-			\$
8120.460	Sewage Collection - Grinder Pump REPLACE		2,255.00
SS2-			\$
9050.800	Unemployment Insurance		3.00
	Totals:	\$ 2,922.00	\$ 2,922.00

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			(-)	(+)	
Acct #	Account Description		Debit	Credit	
SS3-			\$		
8120.410	Sewage Collection - Misc	-	250.00		
SS3-			\$		
8120.411	Sewage Collection - Energy Costs	-	261.00		
SS3-				\$	
1420.421	Legal - Special Projects			61.00	
SS3-				\$	
8110.151	Sewer Admin - Clerk Special Projects			440.00	
SS3-				\$	
8110.405	Sewer Admin - Telephone			8.00	
SS3-				\$	
9050.800	Unemployment Insurance			2.00	
	Т	otals:	\$ 511.00	\$ 511.00	\$

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		(-)	(+)
Acct #	Account Description	Debit	Credit
		\$	
SW8310.120	Personal Services	3,005.00	
		\$	
SW8310.200	Admin - Equipment	121.00	

		Totals:	\$ 22,746.00	\$ 22,746.00	(
					-
SW9050.800	Unemployment Insurance			10.00	-
55550.110				\$	1
SW8330.410	Purification - Misc			\$ 19,620.00	
SW8310.130	Personal Services - Water Break Repair			, 1,250.00	
SW8310.125	Personal Services - Special Projects			1,755.00 \$	_
5001720.421				\$	-
SW1420.421	Legal - Special Projects			\$ 111.00	-
SW8397.200	Water Equip & Capital Outlay		19,620.00		_
			\$		

NOTES:

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1 Money from Reserve Account might need to be moved to cover these replacement costs.

2 Budget Mod to cover cost of sand for filters, unplanned expenditure

Motion by Councilperson Knaul; Second Councilperson Gucciardi,

Roll call vote:Councilperson Knaul
Councilperson KerstetterYes
Yes
YesSupervisor WagnerYes

Councilperson Gucciardi <u>Yes</u> Councilperson Melendez <u>Absent</u>

<u>RESOLUTION 18- 057</u>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.

Board agreed to withhold \$1751.50 from Voucher# 308 from Barton & Loguidice invoice as they had a question regarding the charge. Supervisor Wagner will call B & L for an explanation of the change.

 ABSTRACT #04 2018
 Vouchers # 239-312
 in the amount of \$466,846.48

 Trust & Agency
 Voucher # 5407-5416
 in the amount of \$14,494.78

 for a grand total of \$481,341.26
 \$479,589.77

Motion by Councilperson Knaul; Second Councilperson Gucciardi,

Roll call vote:Councilperson KnaulYesCouncilperson Gucciardi YesCouncilperson KerstetterAbstainCouncilperson MelendezAbsentSupervisor WagnerYesYesCouncilperson Melendez

ADJOURNMENT:

<u>RESOLUTION 18-058</u> to adjourn the meeting:

Motion by Councilperson Knaul; Second Councilperson Gucciardi,

Roll call vote:Councilperson KnaulYes
YesCouncilperson Councilperson Councilperson Councilperson N
Supervisor WagnerYes

Councilperson Gucciardi <u>Yes</u> Councilperson Melendez <u>Absent</u>

Meeting adjourned at <u>4:58 PM</u>