

TOWN BOARD MEETING MINUTES

May 27, 2015

Town Board Meeting of the Town of Owasco was held on May 27, 2015, at 5:00 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, Michael Aldrich

OTHERS PRESENT John Smith, Colleen Barth, Laurie, Cliff, Jeff, Kevin Kaiser, Bob Eggleston, Francis Guariglia, Helen & Bernard Oyer, Jennifer Holland, Laurel Auchampaugh, Glenn Harris, Jim Lattimore, Lorraine Newcomb, Andy Leja, Chris Lawton & Matt Zarbo – B & L.

CALL TO ORDER: 4:00 PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

Resolution 15-108- approval of Town Board Agenda for May 27, 2015.

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

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

APPROVAL OF MINUTES:

Resolution 15-109 approval of Town Board Minutes for May 14, 2015.

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

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

PUBLIC PARTICIPATION:

Neighbors of the Proposed Tom Thumb Mini Golf with concerns.

Lorraine Newcomb, Steve Colvin, Cliff Keiser, Jim Lattimore, Colleen Barth.

Concerns: Increased traffic, water runoff issues, lighting, and noise, mailbox blocking the exit view, parking, and condition of the existing building-previous store/barn.

COMMUNICATIONS: Thank you note from the family of Earline Sorenson for the donation in her name to Calvary Food Pantry.

Several phone calls regards to several inches of rain flooding property

OLD BUSINESS.

NEW BUSINESS:

Resolution 15-110 The Town Board hereby accepts and approves the Owasco Water System Improvements Preliminary Engineering Report dated May 27, 2015.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

Resolution 15-111 the Town Board authorizes the Town Supervisor to sign the Engineering Services Proposal Agreement Letter dated May 27, 2015 from Barton & Loguidice, D.P.C regarding Owasco Water District Improvements, Planning Phase Services for the Owasco Water District.

Motion by Councilperson Gucciardi; Second Councilperson Knaul.

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

Resolution 15-112- to authorize Supervisor Wagner to send a letter to New York State DOT, requesting the guard rail in front of Tom Thumb proposed Mini Golf remain intact.

**Motion by Councilperson Gucciardi; Second Councilperson Knaul.
Roll call vote: Councilperson Aldrich Absent Councilperson Gucciardi Yes
Councilperson Knaul Yes Councilperson Kerstetter Yes
Supervisor Wagner Yes**

Resolution 15-113 Resolution to be determined by board discussion for Tom Thumb Mini Golf.

MOTION TO TABLE: Councilmen Knaul, All in favor.

Resolution 15-114 to amend Resolution 15-084 BE IT RESOLVED, that the Town of Owasco, Location code 30555-010, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of this body:

<u>Title</u>	<u>Standard Work Day (Hrs. /day)</u>
Deputy Town Clerk	6

Motion by Councilperson Kerstetter; Second Councilperson Gucciardi.

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

Resolution 15-115 AUTHORIZING CAYUGA COUNTY TO APPLY FOR A NEW YORK STATE LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) GRANT AS APPLICANT AND GRANT RECIPIENT ON BEHALF OF THE TOWN OF OWASCO TO INCORPORATE THE EPA'S NINE ELEMENTS INTO THE OWASCO LAKE WATERSHED MANAGEMENT AND WATERFRONT REVITALIZATION PLAN

WHEREAS, Owasco Lake is an important scenic asset in the Town of Owasco, offers a wide variety of recreational opportunities which contribute to the local economy, and provides drinking water for town residents; and

WHEREAS, therefore the water quality of Owasco Lake is important to the Town of Owasco and its residents; and

WHEREAS, Cayuga County and the Town of Owasco received a 2012 New York State Local Waterfront Revitalization Program (LWRP) grant for the development of the Owasco Lake Watershed Management and Waterfront Revitalization Plan (the "Plan"); and

WHEREAS, the Plan is scheduled to be completed in March 2016; and

WHEREAS, a priority action of the Plan to address water quality impairments to Owasco Lake is to incorporate the “Nine Environmental Protection Agency Minimum Elements” that are described in Section 319 of the Clean Water Act (“Nine Elements”) into the Plan; and

WHEREAS, the work required to incorporate the “Nine Elements” into the Plan will include the collection and rigorous qualitative analysis of currently unavailable data; and

WHEREAS, to this end, Cayuga County together with the Town of Owasco seek to apply for a grant from the New York State Local Waterfront Revitalization Program (LWRP) to assist with funding the work needed to incorporate the “Nine Elements” into the Plan; and

WHEREAS, Cayuga County can apply for the NYS LWRP grant only with the consent and on the behalf of one or more towns, villages or cities located along Owasco Lake; and

WHEREAS, the NYS LWRP grant requires a fifty percent match and these funds do not have to be a cash match but can be in-kind staff, project partners and volunteer time and services and can be made over the three-year term of the grant; now,

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

Section 1: that the Town of Owasco gives its consent to Cayuga County to submit an application through the 2015 NY Consolidated Funding Application process (CFA) on behalf of the Town of Owasco for purposes of incorporating the “Nine Environmental Protection Agency Minimum Elements” into the Owasco Lake Watershed Management and Waterfront Revitalization Plan;

Section 2: that Cayuga County shall act as Applicant and Grant Recipient, and that the Chairman of the Cayuga County Legislature as Applicant shall execute all financial and/or administrative documents relating to the grant program;

Section 3: that the maximum amount of money to be applied for in the grant application shall be \$70,000 with \$35,000 in grant funds, no cash match, and \$35,000 to be provided in staff, project partner and volunteer in-kind services making up the local share of fifty percent;

Section 4: that the Town Supervisor of the Town of Owasco authorized hereby to enter into agreements with Cayuga County to further define the rights and obligations of the participants in connection with the project and to provide staff and volunteer and non-cash local match to the grant funds as able; and, be it further

RESOLVED, that this resolution shall take effect immediately.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

Resolution 15-116 to recognize the Town of Owasco as a small business employer for Medicare purposes. This authorization allows the town to purchase Medicare supplemental plan thru Excellus.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

Resolution 15-117 the following corrections need to be made to the budget modifications recommended after closing April and approved at the board meeting held on May 14, 2015:

1. Account A1410.410 – Town Clerk – Contractual: Amount should be Debit \$47.00 NOT Debit (\$47.00); this is a \$94.00 difference.
2. Supervisor – Year End: Account should be A1220.401; no change in amount. (Typo in account number.)
3. Account A1990.400 – Contingent Account: Amount should be Debit \$4779.00 NOT \$4,873.00; correction is to account for the debit amount in correction #1.

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

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

Resolution 15-118 To appoint a Farmers' Market Committee, Market Manager and Approve the Farmers' Market Rules and Regulations 2015.

The Town Board hereby appoints Tammy Flaherty, Aileen McNabb Coleman and Wendy Alberici as the 2015 Committee Members for the 2015 Farmers' Market for the 2015 Farmers' Market Season;

The Town Board hereby appoints Tammy Flaherty as Market Manager of the 2015 Farmers Market; and

The Town Board hereby approves the Farmers' Market Rules and Regulations 2015 set forth below.

**TOWN OF OWASCO
FARMERS' MARKET RULES AND REGULATIONS 2015**

Committee members:

Tammy Flaherty, Aileen McNabb Coleman, Wendy Alberici:

Market Manager: Tammy Flaherty

1. The Town of Owasco Farmers market will be held Wednesday from 3:00-7:00pm beginning June 17, 2015 through October 7, 2015 to be held at the Owasco Town Shelter located at 7198 Owasco Rd between Bristol Ave and Owasco Fire Department #1.

Vendor's fee is \$ waived if paid and received by the Town prior to the June 17, 2015 opening or \$ waived if paid and received by the Town after June 17, 2015.

2. The use of the market is restricted to bona-fide growers, crafters and producers of locally made agricultural products, plants, flowers and crafts.
3. A minimum of 50% of the products offered for sale must be produced on lands in production or leased by the vendor or in production facility that they operate. This can include their inspected home. The remainder of their inventory must be products grown by legitimate producers within a 50 mile radius of the Owasco Farmers Market location. The percentage shall be determined by the items value determined by the vendors posted sale pricing. The market manager and committee members have the right to inspect and verify a vendor's farm.
4. All items must have labels to meet the New York State labeling requirements, there are no exceptions. All prepared food items and bakers must show certification from the Cayuga County Department of Health.
5. Vegetables, fruits, grains, cheeses, and dairy products prepared foods, jams, jellies, wines, cider, baked goods, maple products, honey, plants, flowers, nursery products and original arts and crafts are acceptable, at the committee discretion.
6. Each vendor will be responsible for all equipment and supplies for the setup of their booth. All signs identifying themselves and their business must be professional and displayed in front of their stands. Vendors who provide samples and or products which result in waste materials (such as rinds, cups, napkins etc.) will be responsible for any trash that results. Each vendor will also be responsible for their own cleanup before they leave.
7. It shall be the vendor's responsibility to secure their equipment in a manner that will prevent any injury to customers and other vendors or the sponsor's property.
8. All vendors will manage their area in a manner that doesn't interfere with the operation of the sponsor's business. Vendors requested to pick up and leave the premises by the sponsor or his representative shall do so in an orderly fashion without question.
9. All products offered for sale must be of good quality and condition. The market manager reserves the right to direct that inferior goods be removed from the display.
10. Market space will be solely determined and assigned by the market manager and each vendor will be provided with one 10' x 10' space. Set up may begin at 2:00 pm and be complete by 3:00 pm. All vendors must notify the managers when you will not be attending.

11. Any Certified Organic statements must provide a statement of the Organic items offered for sale.
12. All baked goods must be fresh baked and prepared from scratch, Any fillings or Icing containing eggs must come from a commercial preparation facility.
13. No live animals may be sold at the market by any vendor. Animals that are sold live by the farmer may be advertised by word of mouth, photos, posters etc.
14. Sales shall be conducted in an orderly business-like manner, no shouting, hawking or other objectionable means of solicitation will be tolerated. Vendor shall exhibit courtesy and co-operation to the customers and to other vendors selling at the market.
15. Liability insurance must be carried by the vendor for their products, equipment and acts or omissions of vendor. All insurance policies must list the Town of Owasco, 2 Bristol Avenue, Auburn, New York 13021 as an additional insured. Along with this application, I have submitted proof of insurance to the Town of Owasco of at least \$500,000.00. _____
Initial of Town Clerk Tammy Flaherty.
16. Craft vendors are exempt from liability insurance however they must sign and agree to the hold harmless agreement.
17. With the signing and submission of this application, I hereby agree to abide by all local, state and federal laws governing the use of the Town of Owasco Shelter and property. As a vendor participating in the Farmers Market, I hereby release, HOLD HARMLESS AND INDEMNIFY the Town of Owasco, their employees, officers, agents and or market representatives from any and all complaints, liability and/or claims that may now or in the future arise, or possess in any way from the operation of the vending stand at the Town of Owasco Farmers' Market.
18. These rules and regulations may be amended from time to time by Resolution the Town Board of the Town of Owasco.

VENDOR

Name: (print) _____ Date: _____

Address: _____

Signature: _____

Address: _____ City _____

Business Name and type of entity i.e. dba, LLC or corporation:

Name: (print) _____ Date: _____

Title: _____

Address: _____

Phone: _____

Email: _____

Date Received: _____

Payment Received: _____ 2nd payment Date: _____

Market Authorizing Agent _____

Witness: _____ Date: _____

Motion by Councilperson Kerstetter; Second Councilperson Gucciardi

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

Resolution 15-119 to adjourn the meeting:

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

Meeting adjourned at 5:30 P.M.