

TOWN BOARD MEETING MINUTES

May 14, 2014

Town Board Meeting of the Town of Owasco was held on May 14, 2015, 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, Michael Aldrich

OTHERS Nancy Taylor, Laurel Auchampaugh, Bob Bruno, Patrick Doyle, Aileen Coleman, Peg Dickman, Ashley Melendez, Joe Runkle, Helen & Bernard Oyer.

CALL TO ORDER: 4:00 PM

PLEDGE OF ALLEGIANCE:

Resolution 15-099 approval of Town Board Agenda for May 14, 2015.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

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|------------------------|------------------------------|----------------------|---------------------------------|-------------------|
| 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 15-100 approval of Town Board Minutes for April 22, 2015.

Motion by Councilperson Kerstetter; Second Councilperson Gucciardi

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|------------------------|------------------------------|----------------------|---------------------------------|-------------------|
| 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:

COMMUNICATIONS: Mercy Flight.

Bill Phillips concerns regarding Owasco Lake level.

OLD BUSINESS. The Town is hoping to have a Farmers Market up and running on Wednesday June 10th, 3:00pm-7:00 pm under the town's shelter.

NEW BUSINESS:. The Town is hoping to have a Farmers Market up and running on Wednesday June 10th, 3:00pm-7:00 pm under the town's shelter.

Presentation from Barton & Loguidice on water inventory results and proposal.

Resolution 15-101 A RESOLUTION APPPROVING AN ORDER TO ESTABLISH TOWN OF OWASCO SEWER DISTRICT NO. 3

WHEREAS, the Town of Owasco (the "Town") is proposing to create Sewer District No. 3 in the Town of Owasco, Cayuga County, New York (the "Project"); and

WHEREAS, on November 12, 2009 the Town Board passed **Resolution 09-189** declaring this project a Type I Action under the New York State Environmental Quality Review Act ("SEQRA") and within the meaning of 6 NYCRR 617.2 and establishing the Owasco Town Board as Lead Agency for the Project; and

WHEREAS, on April 8, 2010 the Town Board passed **Resolution 10-065** declaring that the Project constitutes a "Type 1 action"; and no significant adverse environmental impacts are noted in the EAF for the Project and none are known to the Town Board. Therefore, the Town Board hereby determines that the Project will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement with respect to the Project and issues a Negative Declaration; and

WHEREAS, the Town Board has received Owasco Sewer District No. 3 Town of Owasco, Cayuga County, New York Map, Plan and Report dated August 2014 from the Town Engineer, Barton & Loguidice; and

WHEREAS, proposed Sewer District No. 3 will extend public sewer service southerly from the existing Sewer District No. 2 boundary and will generally serve lakeshore areas south of Burtis Point and Rockefeller Road up to and including Koenig Point Drive; and

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, public hearings were held by the Town Board of the Town of Owasco on Saturday October 4, 2014 at 1:00 p.m. and Thursday October 9, 2014 at 5 pm both at the Owasco Fire House, 7174 Owasco Road, Auburn, New York 13021 regarding the establishment of Town of Owasco Sewer District No. 3.

WHEREAS, on November 13, 2014 the Town Board continued and then closed the Public Hearing;

WHEREAS, by **Resolution 14-164** the Town Board of the Town of Owasco, Cayuga County, New York, has, at a meeting duly held and conducted on November 13, 2014, adopted a Resolution and Order authorizing the establishment of Sewer District No. 3, including the cost of improvements and expenses necessary in connection therewith at a maximum estimated cost of **\$3,964,400.00**, in the Town of Owasco, subject to a referendum; and

WHEREAS, said November 13, 2014 does not take effect until a proposition for the approval thereof has been approved at a Special Election by the qualified owners of taxable real property situated in said proposed Sewer District No. 3, as shown upon the latest completed assessment roll of the Town; and

WHEREAS, on November 13, 2014 this Town Board desired to call such a special election of said Town for the submission of such proposition;

WHEREAS, on November 13, 2014 the Town Board adopted an Order authorizing the establishment of Sewer District No. 3, including the cost of improvements and expenses necessary in connection therewith at a maximum estimated cost of **\$3,964,400.00**, in the Town of Owasco, subject to a referendum on the Town Board's own motion;

WHEREAS, a Special Town Election of the qualified voters in the Town of Owasco being owners of taxable real property situated in the proposed Sewer District No. 3 pursuant to Rules adopted by the Town Board for the purpose of submitting a proposition of the question of approving or disapproving an Order was held on December 17, 2014;

WHEREAS, pursuant to the Certificate of Inspectors of Election the Proposition and Order passed on December 17, 2014 with vote totals as follows: 117 votes were in favor with 45 opposed to the proposed Proposition or Order to establish Sewer District No. 3 set forth below:

PROPOSITION

Shall the Order dated and duly adopted November 13, 2014 by the Town Board authorizing the establishment of Sewer District No. 3, in the Town of Owasco, Cayuga County, New York, with improvements, consisting of approximately 15,408 L.F. of pressure mains and approximately 162 grinder pump stations, improvements to the Burtis Point Pump Station and improvements to the Oak Ridge Pump Station and Force Main and improvements to the Owasco Interceptor Sewer to provide public sewers to all the Lakeshore properties from Brook Hollow Drive to and including Koenig Point and other properties in the same area, as well as land or rights in land, original furnishings, equipment, machinery and apparatus incidental thereto, at a maximum estimated cost of \$3,964,400.00, said cost to be financed by the issuance of general obligations serial bonds over a period not exceeding 30 years, to be payable in the first instance from user charges upon the real property in said Sewer District No. 3, which shall be bounded and described as set forth in proceedings for the establishment thereof on file in the Town Clerk's Office, be approved?

WHEREAS, on January 8, 2015 the Town Board passed **Resolution 15-009** to establish Town of Owasco Sewer District No. 3 and adopted and approved the Order and Proposition voted on and approved at the December 17, 2014 Special Election;

WHEREAS, on February 26, 2015 the Town Board passed **Resolution 15-065** approving the application for Permission of the New York State Comptroller regarding the formation of Owasco Sewer District No. 3 and construction of improvements to the District; and

WHEREAS, at the request of the New York State Comptroller's Office the Town Board is modifying Resolution 15-009 adopted January 8, 2015 which approved an Order to Establish Town of Owasco Sewer District No. 3 in order to make some additional findings; and

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

Section 1. The Town Board hereby adopts and approves the aforesaid Order and Proposition voted on and approved at the December 17, 2014 **Special Election** authorizing the establishment of Sewer District No. 3, including the cost of improvements and expenses necessary in connection therewith at a maximum estimated cost of **\$3,964,400.00**, in the Town of Owasco set forth below:

ORDER: The Town Board authorizes the establishment of Sewer District No. 3, in the Town of Owasco, Cayuga County, New York, with improvements, consisting of approximately 15,408 L.F. of pressure mains and approximately 162 grinder pump stations, improvements to the Burtis Point Pump Station and improvements to the Oak Ridge Pump Station and Force Main and improvements to the Owasco Interceptor Sewer to provide public sewers to all the Lakeshore properties from Brook Hollow Drive to and including Koenig Point and other properties in the same area, as well as land or rights in land, original furnishings, equipment, machinery and apparatus incidental thereto, at a maximum estimated cost of \$3,964,400.00, said cost to be financed by the issuance of general obligations serial bonds over a period not exceeding 30 years, to be payable in the first instance from user charges upon the real property in said Sewer District No. 3, which shall be bounded and described as set forth in proceedings for the establishment thereof on file in the Town Clerk's Office.

The above proposition was approved on December 17, 2014 by the affirmative vote of a majority of the owners of taxable real property situate in the proposed district or proposed extended district as shown upon the latest completed assessment-roll of the town, voting on such proposition.

Section 2. In accordance with Town Law Section 209-e, the Town Board determines and makes the following findings:

(a) The notice of hearing was published and posted as required by law, and is otherwise sufficient;

(b) All the property and property owners within the proposed Sewer District No. 3 are benefited thereby;

(c) All the property and property owners benefited are included within the limits of the proposed Sewer District No. 3;

(d) The establishment or extension of such Sewer District No. 3 is in the public interest.

The Town Board hereby adopts this resolution approving the establishment of Sewer District No. 3 as the boundaries shall be finally determined and the construction of the improvement or providing of the service therein as set forth in the approved Map, Plan and Report of August 2014.

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 15-102 Authorization to approve budget modifications – See attached

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 15-103 Authorize Highway Superintendent Bob Bruno to hire one part-time seasonal employee at \$11.00 an hour.

Motion by Councilperson Knaul; Second Councilperson Gucciardi

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

Resolution 15-104 Authorize Supervisor Wagner to hire up to two college students from CCC, GIS program, to preform data collection with in the town. Services will include working for water, sewer, and highway departments. Hourly rate of \$11.00.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

Resolution 15-105 to authorize Supervisor Wagner to enter into an agreement with Energy & Environment to provide asbestos consultation services for 6 Bristol Ave.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

Resolution 15-106 motion to approve preliminary Owasco Water Tower Improvements, recommend moving forward with the project.

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 15-107 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 14-011 adopted January 9, 2014, all in accordance with the attached abstract of claims.

ABSTRACT #5, 2015 Vouchers #306-364= \$200,585.54.

Trust & Agency Voucher # 5040-5050 \$21,566.60

for the total amount of \$222,154.14

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

Resolution 15- 107.5 to adjourn the meeting:

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**

Meeting adjourned at 5:45 P.M.

