

TOWN BOARD MEETING MINUTES
April 27, 2016

Town Board Special Meeting of the Town of Owasco was held on April 27, 2016 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
Councilperson, Ashley Melendez

OTHERS PRESENT: Gary Colella, Nancy Taylor, Christine Walsh Hickey, Dennis Hickey.

CALL TO ORDER: 5:00 PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

Resolution 16-109 approval of Town Board Agenda for April 27, 2016, with additions added below per Supervisor Wagner.

Motion by Councilperson Kerstetter ; Second Councilperson Melendez

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>		

PUBLIC PARTICIPATION:

COMMUNICATIONS:

Request from Cayuga/ Seneca Community Action Head Start Family Picnic, to override the 200 guest limit for the rental of the shelter. The will have approximately 300 guest and have offered to have 2 staff members to oversee parking along with having the buses park elsewhere.

***Resolved: approved with the understanding they adhere to their parking plan.**

Request from West Minister to use the Playground for their school picnic.

***Resolved: approved with an adjusted fee of \$50.00.**

**OLD BUSINESS: Discussion on new Local law regarding Recycling Center.
Town Attorney Riccardo Galbato explained an invoice received from Bond, Schoeneck & King regarding eminent domain.**

NEW BUSINESS: Water extension request from Mizro on the corner of Honeysuckle & Martin Rd. and the Moraghan residents on Byrne Rd.

Resolution 16-110 to authorize Mark D. Colopy to begin the bond anticipation note (BAN) process to secure short-term funds and advise and recommend to the Town Board options for long-term financing for the Owasco Water Systems Improvements project at the hourly rate of **\$80.00.**

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

Resolution 16-111 to authorize Town Clerks office to collect revenue for the purpose of documenting shelter rentals.

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

Resolution 16-112 In the matter of the proposed Extension of Town of Owasco Sewer District No. 3 in the Town of Owasco, County of Cayuga, New York, Pursuant to the Town Law to include 5715 State Route 38A, Tax Map No. 138.03-1-6.

WHEREAS, the owners’ of the property at 5715 State Route 38A, Robert P. Forcey, has requested to be included within Owasco Sewer District No. 3;
WHEREAS, the Town has received a Petition from Robert P. Forcey, to be included within Owasco Sewer District No. 3;

WHEREAS, this extension would require the Petitioner will be responsible to obtain an Easement to be approved by the Town of Owasco for a lateral from Rockefeller Road to the Petitioner’s property.

NOW, THEREFORE, BE IT RESOLVED,

The Town Board agrees to schedule a Public Hearing for consideration of the proposed Sewer District No. 3 Extension to include 5715 State Route 38A and the Town Board will also begin the process of SEQRA review and all necessary governmental approvals for said Extension.

This public hearing will be scheduled on the same date as the Public Hearing authorized by the Town Board on 1.4.16 by **Resolution 16-021** for the proposed Oyer Extension for 4786 Rockefeller Road.

Motion by **Councilperson Melendez**; Second **Councilperson Kerstetter**

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>		

Resolution 16-113 to allow the Bookkeeper to the Supervisor to be able to have remote access to the towns bookkeeping software and or other pertinent programs pertaining to her job out of the office when necessary, with prior supervisors’ approval. This approval is only for special situations and not meant to be used as a regular work schedule.

Whereas, Dave Stathis the towns IT consultant has reviewed, commented and supports the remote access know as GoToMyPC software.

Whereas, this software is used by thousands of government and private companies to allow their employees to work from remote locations.

Whereas, this remote connection can be turned off at any time.

Let it be resolved that the town board has addressed all concerns with legal issued addressed by town attorney and is comfortable to proceed with a single license for GoToMyPC software.

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

Resolution 16-114 A RESOLUTION TO ADOPT A FINAL ORDER ESTABLISHING SEWER DISTRICT NO. 3 PURSUANT TO TOWN LAW SECTION 209-F.

WHEREAS, on May 14, 2015 the Town Board of the Town of Owasco adopted **Resolution 15-101** approving an Order to establish Town of Owasco Sewer District No. 3 which stated in part:

“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.”

WHEREAS, the Town of Owasco received an Order of the State Comptroller dated July 9, 2015 attached hereto and made a part hereof, which stated in part:

(1) **“That the public interest will be served by the establishment of Sewer District No. 3 in the Town of Owasco in accordance with such application.**

(2) **That the cost of the proposed district will not be an undue burden upon the burden upon the property that is to bear the cost hereof.**

I, THOMAS P. DINAPOLI, Comptroller of the State of New York, do hereby order that such application of the town board of the Town of Owasco for permission to establish Sewer District No. 3 be, and the same hereby is, approved and I do hereby permit the establishment of said district in accordance with the description referred to in a resolution of May 15, 2015, at a cost not to exceed \$3,964,400, including any applicable State or federal aid.”

WHEREAS, at the request of the New York State Comptroller’s Office pursuant to Town Law Section 209-F(5) after the State Comptroller shall grant permission, the town board shall adopt a final order establishing the district or extension as the boundaries shall be finally determined.

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 Final Order Establishing Town of Owasco Sewer District No. 3 or extension as the boundaries shall be finally determined, 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.

Section 3. The Town Clerk and Town Attorney are directed to file a Certified Copy or equivalent of this Resolution with the New York State Comptroller's Office, Cayuga County Clerk and Town of Owasco Clerk.

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

Resolution 16- 115 To Authorize Supervisor Wagner to obtain 3 quotes for a new roof and siding to include any miscellaneous items on the town shelter located 7198 Owasco Rd, and to authorize Supervisor Wagner to accept and approve the low bidder, pursuant to towns procurement policy.

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

Resolution 16-116 to approve proposal for engineering services with Barton & Loguidice for services related to 6711 East Lake Rd, construction of a single family residence. With \$3000.00 to be put into escrow by owners David & Ann Verillo.

Motion by Councilperson Kerstetter ; Second Councilperson Melendez

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>		

Resolution 16-117 to approve the sale of 3 containers to We Care at \$1200.00 each.

Note: After review with Town Attorney this resolution will be amended at the May 12, 2016 meeting.

Motion by Councilperson Knaul; Second Councilperson Gucciardi

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

ADJOURNMENT:

Resolution 16- 118 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>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

Meeting adjourned at 6:30 PM.

Respectfully submitted: Tammy M. Flaherty, Town Clerk