

A Town Board Meeting of the Town of Owasco was held on April 11, 2013 at 5:00 PM in the Owasco Town Hall with the following members present:

**PRESENT:** Councilperson, Michael Aldrich  
Councilperson, Tony Gucciardi  
Councilperson, Richard Knaul  
Councilperson, Terrence Lattimore  
Supervisor, Edward Wagner

**ABSENT:**

**OTHERS PRESENT:** Patrick Doyle Code Enforcement Officer, Bob Bruno Highway Enforcement, Nancy Taylor, John Smith, Wanda H. Zach and Ian Phillips.

**CALL TO ORDER:** 5:00 P.M.

**APPROVAL OF AGENDA:**

Resolution 13-061 Councilperson Lattimore asked to amend the Agenda by adding a proposed painting resolution. It did not have enough votes in favor to change the Agenda.

Motion by Councilperson Aldrich; Second Councilperson Lattimore,

Roll call vote:	Councilperson Aldrich <u>Yes</u>	Councilperson Gucciardi <u>No</u>
	Councilperson Knaul <u>No</u>	Councilperson Lattimore <u>Yes</u>
	Supervisor Wagner <u>Abstain</u>	

Resolution 13-062 Councilperson Lattimore asked to amend the Agenda by adding a proposed resolution pertaining to elected officials being able to add resolutions to Owasco Town Agenda. As long as it is submitted five business days prior to the board meeting. It did not have enough votes in favor to amend the Agenda.

Motion by Councilperson Lattimore; Second Councilperson Aldrich,

Roll call vote:	Councilperson Aldrich <u>Yes</u>	Councilperson Gucciardi <u>No</u>
	Councilperson Knaul <u>No</u>	Councilperson Lattimore <u>Yes</u>
	Supervisor Wagner <u>No</u>	

**Resolution 13-063**

To amend the agenda and add a resolution to approve the 2012 Audit by Cuddy & Ward, LLP.

Motion by Councilperson Gucciardi; Second Councilperson Aldrich.

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

Resolution 13-064 approval of the revised Town Board Agenda for April 11, 2013.

Motion by Councilperson Aldrich; Second Councilperson Gucciardi

Roll call vote:	Councilperson Aldrich <u>Yes</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Knaul <u>Yes</u>	Councilperson Lattimore <u>No</u>
	Supervisor Wagner <u>Yes</u>	

**APPROVAL OF MINUTES:**

Resolution 13-065 approval of Town Board Minutes for March 7, 2013.

Motion by Councilperson Knaul; Second Councilperson Gucciardi

Roll call vote:	Councilperson Aldrich <u>Yes</u>	Councilperson Gucciardi <u>Abstain</u>
	Councilperson Knaul <u>Yes</u>	Councilperson Lattimore <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

**PUBLIC PARTICIPATION:**

**TO CONTINUE THE PUBLIC HEARING ON LOCAL LAW NO. 4 OF 2013 TOWN SERVICE FEES at 5:17 PM.**

**Resolution 13-066 To keep the Public Hearing Local Law No. 4 of 2013 Town Service fees open until the next Town Board Meeting May 9, 2013 and to direct the Town Clerk to re submit a Legal Notice for same.**

**Motion by Councilperson Knaul; Second Councilperson Lattimore**

Roll call vote:	<b>Councilperson Aldrich <u>Yes</u></b>	<b>Councilperson Gucciardi <u>Abstain</u></b>
	<b>Councilperson Knaul <u>Yes</u></b>	<b>Councilperson Lattimore <u>Yes</u></b>
	<b>Supervisor Wagner <u>Yes</u></b>	

**COMMUNICATIONS:**

**Letter from Highway Superintendent in regards to purchase order policy**

**COMMITTEE REPORTS: Will be posted on the Town Website.**

**OLD BUSINESS:**

**NEW BUSINESS:**

**Resolution 13-067 to approve SEQR determination for Local Law No. 4 of 2013**

**A Resolution to Issue a Determination of Environmental Significance for Local Law No. 4 of 2013.**

**WHEREAS, the Owasco Town Board declares itself Lead Agency for the purpose of conducting the environmental review of said proposed action; and**

**WHEREAS, the Owasco Town Board has determined that the proposed action for adoption of Local Law No. 4 of 2013 is an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations; and**

**WHEREAS, the Owasco Town Board hereby determines that the action does not involve any other agencies apart from the Owasco Town Board itself; and**

**WHEREAS, the Town Board caused a Short Environmental Assessment Form to be prepared for use to assess the potential environmental impacts associated with enactment of the proposed local law; and**

**BE IT RESOLVED, that the Owasco Town Board has determined that the adoption of the proposed Local Law No. 4 of 2013 will not have a significant adverse impact on the environment and hereby issues a Negative Declaration.**

**BE IT FURTHER RESOLVED, that the Town Supervisor be and is hereby directed to sign the Negative Declaration of Environmental Significance.**

**This Resolution is tabled until next Board Meeting May 9, 2013**

**Motion by Councilperson Gucciardi; Second Councilperson KNAUL**

Roll call vote:	<b>Councilperson Aldrich <u>Yes</u></b>	<b>Councilperson Gucciardi <u>Yes</u></b>
	<b>Councilperson Knaul <u>Yes</u></b>	<b>Councilperson Lattimore <u>Yes</u></b>
	<b>Supervisor Wagner <u>Yes</u></b>	

**Resolution 13-068 to approve Local Law No. 4 of 2013 Town Service fees.**

**a Resolution of the Town Board for the adoption and enactment of Local Law No. 4 of 2013**

**WHEREAS, a Resolution was adopted by the Town Board on February 14, 2013 introducing proposed Local Law No. 4 of 2013 and said Resolution established a public hearing relating thereto; and**

WHEREAS, a Notice of Public Hearing with respect to said proposed Local Law was duly published in The Citizen, the official Town newspaper and a newspaper circulated in said Town on February 28, 2013, and proof of such publication has been filed with the Town Clerk, and

WHEREAS, a Notice of Public Hearing with respect to such Local Law was duly posted on the sign board of the Owasco Town Hall, and

WHEREAS, a Public Hearing upon said proposed Local Law was held at the Owasco Town Hall, 2 Bristol Avenue, Auburn, New York 13021, in the Town of Owasco, New York on March 7, 2013 and continued on this date, April 10, 2013, pursuant to such Notice and an opportunity to be heard was given at said hearing to those favoring or opposing passage of said proposed Local Law; and

WHEREAS, the Owasco Town Board by Resolution passed on this date issued a Negative Declaration under SEQRA for Local Law No. 4 of 2013.

WHEREAS, the Town Board has carefully considered the proposed Local Law; and after due deliberation, finds it is in the best interest of the Town of Owasco to adopt said Local Law;

NOW, THEREFORE, AFTER DUE CONSIDERATION, IT IS HEREBY,

RESOLVED, that the Town Board of the Town of Owasco hereby approves and enacts Local Law No. 4 of 2013 set forth below:

#### **Local Law No. 4 of 2013**

Section 40-1 of the Town Code of the Town of Owasco is hereby repealed in its entirety and replaced with the following:

#### **§ 40-1. License required; term; fee; bond.**

No person shall exercise the business or trade of auctioneer or sell any property at public auction or outcry within the Town of Owasco without first having obtained a license to act as such auctioneer. Such license may be issued by the Town Clerk of the Town of Owasco upon application, for a period of not more than one year, upon payment of a fee of \$50. Before any such license is issued, the applicant shall file in the office of the Town Clerk a duly approved bond in the sum of \$1,000 to the effect that he shall well, truly and honestly conduct such business as such auctioneer. **Said fee and bond may be adjusted by Resolution of the Town Board.**

Section 62-2 of the Town Code of the Town of Owasco is hereby repealed in its entirety and replaced with the following:

#### **§ 62-2. Permit fee; duration.**

The fee for such license or permit, to be paid at the time of the issuing of the same, shall be \$100 for a period not to exceed six months. **Said fee may be adjusted by Resolution of the Town Board.**

Section 136-3 of the Town Code of the Town of Owasco is hereby repealed in its entirety and replaced with the following:

#### **§ 136-3. Application requirements; application fee.**

- A.** An application for a license provided for under § 136-2 shall be made to the Town Clerk upon a form to be furnished by him. Said application shall state the name and address of the owner of the premises, the name and address of the applicant and the nature and extent of his interest in the business for which a license is desired, the location and plot plan of the tourist park or camp or automobile tourist park or camp and the number of units to be provided for therein, detailed plans and specifications of all buildings, structures, plumbing, sewer and drainage systems and lighting and any other information required by the Town Clerk.

**B.** Such application shall be accompanied by a fee of \$5 for every five units or less, plus \$1 for each additional five units or fraction thereof, which shall cover the required investigation, but, if a license is subsequently issued, said fees shall be applied on account of the license fee, but in the event that a license is not issued, such investigation fee shall be retained by the Town. **Said fee may be adjusted by Resolution of the Town Board.**

**Section 78-12** of the Town Code of the Town of Owasco is hereby repealed in its entirety and replaced with the following:

**§ 78-12 Floodplain development permits.**

**A. Purpose.** A floodplain development permit is hereby established for all construction and other development to be undertaken in areas of special flood hazard in this community for the purpose of protecting its citizens from increased flood hazards and insuring that new development is constructed in a manner that minimizes its exposure to flooding. It shall be unlawful to undertake any development in an area of special flood hazard, as shown on the Flood Insurance Rate Map enumerated in **§ 78-6**, without a valid floodplain development permit. Application for a permit shall be made on forms furnished by the local administrator and may include, but not be limited to, plans, in duplicate, drawn to scale and showing, the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.

**B. Fees.** All applications for a floodplain development permit shall be accompanied by an application fee of \$ 50. **Said fee may be adjusted by Resolution of the Town Board.** In addition, the applicant shall be responsible for reimbursing the Town of Owasco for any additional costs necessary for review, inspection and approval of this project. The local administrator may require a deposit of no more than \$500 to cover these additional costs. **Said fee may be adjusted by Resolution of the Town Board.**

**Section 119-3(B)(3) only** of the Town Code of the Town of Owasco is hereby repealed in its entirety and replaced with the following:

**Section 119-3(B)(3)** Bulk items, such as furniture and household appliances not containing Freon may be disposed of after making prior arrangements with a Recycling Center employee, and paying the associated disposal fee. A fee schedule is available at the Recycling Center or the Owasco Town Hall. **Said fees may be established and adjusted by Resolution of the Town Board.**

**Sections 144-10 and 144-11** of the Town Code of the Town of Owasco is hereby repealed in its entirety and replaced with the following:

**§ 144-10 Taps and connections.**

All connections to or taps of water mains for water service shall be made by the Water Department. A tapping or connection **fee(s) may be established and adjusted by Resolution of the Town Board.**

**§ 144-11 Line specifications.**

- A.** All private lines shall be installed, maintained, altered or replaced with Type K copper tubing which shall conform to ASTM Designation 888, latest revision, or plastic tubing with a tracer of the following widths and thicknesses:

Width (inches)	Thickness (inches)
3/4	.065
1	.065
1 1/4	.065
1 1/2	.072
2	.083

- B.** All joints in Type K copper-tube service lines between the curb stop and meter shall be made with compression or flare fittings.

Section 136-5 of the Town Code of the Town of Owasco is hereby repealed in its entirety and replaced with the following:

**§ 136-5. Hearing; fees; duration of license; display of license.**

- A.** The Town Board shall consider the report of the Town Clerk and shall, for that purpose, hold a public hearing upon notice prescribed by said Board upon such application and shall determine whether the proposed tourist park or camp or automobile tourist park or camp complies with this chapter.
- B.** If such application is acted upon favorably by the Town Board, it shall direct the Town Clerk to issue a license to the applicant upon the payment of the following fees:
- (1)** For a tourist park or camp or automobile tourist park or camp or any combination of such: \$150.
- (2)** For each trailer: \$100 per unit.
- C.** Each license shall be for a period from April 1 to March 31. The fee for such license shall not be prorated for any lesser period.
- D.** Such license shall always be on display in the office of the tourist camp or park or automobile tourist camp or park.
- E.** Said fees may be adjusted by Resolution of the Town Board.

Section 144-23 of the Town Code of the Town of Owasco is hereby repealed in its entirety and replaced with the following:

**§ 144-23. Tests for meter accuracy; charge.**

Consumers, upon request, may have the meters serving their premises tested by the Water Department in their presence or that of a duly authorized representative. If the meter so tested shall be found to register not more than 103% or less than 97% of the amount of water actually passing through it, the actual expense, including overhead, incurred by the Water Department in removing, testing and replacing the meter shall be paid by the consumer.

**Section 150-37** of the Town Code of the Town of Owasco is hereby repealed in its entirety and replaced with the following:

**§ 150-37 Temporary signs.**

Temporary signs over six square feet in area shall be erected only with a special permit. The applicant shall deposit with the Town Clerk \$1 per square foot of the total signs displayed (total single-sign area times total number of signs). Said deposit fee may be adjusted by Resolution of the Town Board. This deposit shall be refunded when signs are removed or shall be used by the Town to defray the cost of removing them. No temporary sign shall be posted earlier than 30 days prior to the advertised activity, and the signs shall be removed immediately following the activity's conclusion.

**When Effective:**

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

**This Resolution is Tabled until next Board Meeting May 9,2013**

**Motion by Councilperson Gucciardi; Second Councilperson KNAUL**

Roll call vote: Councilperson Aldrich Yes Councilperson Gucciardi Yes  
Councilperson Knaul Yes Councilperson Lattimore Yes  
Supervisor Wagner Yes

**Resolution 13-069** to approve recommended Budget Modifications. The attached budget modification is to correct the classification of the payment on the John Deere Front Loader. It was in the budget under Equipment/Capital Outlay; it should be under Installment Purchase Debt, which is a new account. I made this discovery when I was working on the NYS AUD. See attached.

**Budget Modifications – to Reclassify/Correct Budget Items**

		( - )	( + )
Acct #	Account Description	Debit	Credit
DA5130.210	Equipment/Capital Outlay	\$29,928.00	
DA9785	Installment Purchase Debt		\$29,928.00
Totals:		\$29,928.00	\$29,928.00

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

Roll call vote: Councilperson Aldrich Yes Councilperson Gucciardi Yes  
Councilperson Knaul Yes Councilperson Lattimore Yes  
Supervisor Wagner Yes

**Resolution 13-070** to authorize the planning board chair to establish office hours at Town Hall on a weekly basis. Office hours are at the digression of the chair and will be displayed accordingly. Office hours should not exceed two hours per week. Rate of pay is \$45 per hour.

**Motion by Councilperson Aldrich; Second Councilperson Gucciardi**

Roll call vote: Councilperson Aldrich No Councilperson Gucciardi No  
Councilperson Knaul No Councilperson Lattimore No  
Supervisor Wagner No

**Resolution 13-071** to accept the bid from Joe Johnson Equipment, 62 LaGRANGE AVENUE, Rochester, NY, 14613 for a Sewer TV Inspection System in the amount of \$69,353.00

The bids were open at 3:00PM Wednesday April 10, 2013 at the Town of Owasco Town Hall as advertised there was only the one bid.

Motion by Councilperson Gucciardi; Second Councilperson Knaul

Roll call vote:	Councilperson Aldrich <u>No</u>	Councilperson Gucciardi <u>Yes</u>
	Councilperson Knaul <u>Yes</u>	Councilperson Lattimore <u>No</u>
	Supervisor Wagner <u>Yes</u>	

**Resolution 13-072** to approve the rules and regulations governing the installation of a second water meter for permanent irrigation systems only as follows.

#### **TOWN OF OWASCO WATER DEPARTMENT POLICY – IRRIGATION METERS**

The following policy shall be incorporated into the Owasco Water Department Rules and Regulations governing the installation of a second water meter for permanent lawn irrigation systems. All pertinent sections of Chapter 144 – Water, of the Code of the Town of Owasco shall apply, in addition to this policy and the Owasco Water Department Rules and Regulations:

##### **1. Application, Fee.**

Any person desiring to purchase an additional water meter to purchase water for a permanent lawn irrigation system shall apply to the Water Department upon forms provided by the Water Department. Application shall be made by the owner of the premises or his agent. A fee of \$150.00 shall accompany the application, in addition to the cost of the meter and a backflow prevention device. The meter and backflow prevention device shall be provided by the Owasco Water Department at cost to the owner.

##### **2. Inspection, Access to Premises.**

The Water Department shall inspect the premises to determine the best location for the irrigation meter and backflow prevention device prior to installation. The filing of an application shall be deemed consent to access the premises at all reasonable times for the purposes of inspection, installation, maintenance, repair, meter reading or turning on or shutting off water.

##### **3. Water Rates, Account.**

The minimum water charge and standard water rates shall apply to the irrigation meter. No sewer rates shall be charged to the irrigation meter. A separate account shall be established by the Water Department for the irrigation meter.

##### **4. Backflow Prevention Device, Final Inspection.**

The installation of a backflow prevention device, in a location approved by the Owasco Water Department shall be required on all lawn irrigation meters. The backflow prevention device shall be provided by the Owasco Water Department at cost to the Owner and installed by the Owner or his agent prior to installation of the water meter. The Owasco Water Department shall perform a final inspection and approve the installation of the backflow prevention device and irrigation system prior to turning on the water to the irrigation meter.

##### **5. Tampering With Equipment.**

No person other than an employee of the Water Department shall interfere with or remove any water meter, backflow prevention device, sealing device or coupling from any meter installation after it has been placed in service by the Water Department.

##### **6. Curtailing or discontinuing water use during shortages.**

The Water Department shall have the right to curtail the amount of water supplied in the event that its supply becomes limited. The Water Department, in case of a shortage of water, may limit or prohibit the use of water for sprinkling of lawns or gardens or for any purpose not deemed necessary for the maintenance of public health. Where water is wastefully or negligently used on a consumer's premises seriously affecting the general service, the Water Department may discontinue the service of such premises if conditions are not corrected within 24 hours after giving such customer written notice, or, if an emergency exists, it may discontinue service without notice.

**7. Penalty for Non Compliance.**

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

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

**Resolution 13-073 to call for a Public Hearing on Local Law No 5 of 2013 Providing for a Real Property Tax Exemption for Cold War Veterans under Real Property Tax Law 458-b on May 9, 2013, at the Town of Owasco town Hall.**

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

Roll call vote:	<u>Councilperson Aldrich Yes</u>	<u>Councilperson Gucciardi Yes</u>
	<u>Councilperson Knaul Yes</u>	<u>Councilperson Lattimore Abstain</u>
	<u>Supervisor Wagner Yes</u>	

**Resolution 13-074 to change the Town Board Meeting time from 5:00 PM to 4:00 PM the 2<sup>nd</sup>, Thursday of each Month.**

**Motion by Councilperson Lattimore; Second Councilperson Aldrich**

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

**Resolution 13-075 Resolution authorizing the Highway Superintendent to sign his own Purchase Orders up to 500.00 for the Town Highway Department consistent with the Procurement Policy of the Town and the approved budget. And promptly file with the Town the purchase orders along with the receipts for a trial period ending at the July Town Board meeting where it will be reviewed.**

**Motion by Councilperson Lattimore; Second Councilperson Gucciardi**

Roll call vote:	<u>Councilperson Aldrich Yes</u>	<u>Councilperson Gucciardi Yes</u>
	<u>Councilperson Knaul Yes</u>	<u>Councilperson Lattimore Yes</u>
	<u>Supervisor Wagner No</u>	

**Resolution 13-076 to accept the 2012 Audit by Cuddy & Ward, LLP Certified Public Accountants.**

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

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

**AUDIT AND PAYMENT OF CLAIMS:**

**Resolution 13-077 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 13-018 adopted January 10, 2013, all in accordance with the attached abstract of claims.**

**ABSTRACT # 2. 2013 Vouchers 196-246 in the amount of \$177,740.74**

**Motion by Councilperson Lattimore; Second Councilperson Gucciardi**

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



**ADJOURNMENT:**

**Resolution 13-078 to adjourn the meeting:**

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

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

**Meeting adjourned at 6:32 P.M.**



**Robert A. Shaw Town Clerk**