

TOWN BOARD MEETING MINUTES

March 10, 2016

Town Board Special Meeting of the Town of Owasco was held on March 10, 2016 at 5:00 PM in the Owasco Town Hall with the following members present:

PRESENT: Councilperson, Tim Kerstetter
Councilperson, Richard Knaul
Councilperson, Ashley Melendez
Supervisor, Edward Wagner

ABSENT: Councilperson, Tony Gucciardi

OTHERS PRESENT: Mila Miller, Samantha Miller, Gary Colella, Bob Bruno, Nancy Taylor, Marybeth Leeson, Patty Doyle.

CALL TO ORDER: 5:00 PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

Resolution 16-070 approval of Town Board Agenda for March 10, 2016.

Motion by Councilperson Kerstetter; Second Councilperson Melendez

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

APPROVAL OF MINUTES:

Resolution 16-071 approval of Town Board Minutes for February 11, 2016 & February 24, 2016

Motion by Councilperson Knaul; Second Councilperson Kerstetter

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

PUBLIC PARTICIPATION: Nancy Taylor asked the status of the New Water Tower to be located on Town Hall Rd.

Supervisor Wagner and Matt Zarbo with Barton & Loguidice Explained that the project is in the planning stage and the town highway department has torn down the old house that was on the property.

COMMUNICATIONS: Letter from the Planning Board for consideration of a budget increase to attend training.

OLD BUSINESS.

NEW BUSINESS: Review of Town Audit for 2015 from Cuddy & Ward

Auditor Marybeth Leeson with Cuddy & Ward presented the Town Board with the 2015 Town Audit and finds the Town to be in good shape with contributions to the fund balances up.

Resolution 16-072 motion to approve an increase in the Planning Boards budget so the members may attend training.

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

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

Resolution 16-073 to accept the 2015 Town Audit from Cuddy & Ward.

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

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

Resolution 16-074 authorize Supervisor Wagner to sign a revised contract with We Care eliminating the .18 cents contribution to town. In exchange We Care will provide an additional employees for a total of five in order to make the Recycling Center more efficient for the residents.

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 16-075 to authorize the Supervisor to sign and amend the agreement with Barton & Loguidice regarding concerns with additional cost for the Crown Castle cell phone tower.

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

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

Resolution 16-076 to authorize Highway Superintendent to order a new 2017 Freightliner Dump Truck in the amount of \$97,919.00 from Tracey Equipment under the Oneida County Contract. Along with Front Plow, Wing Blade, Box and Sander in the amount of \$68,540.70 from Viking Cives under the Onondaga County Contract for a total purchase price of \$156,459.70.

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 16-077 Owasco Water System Improvements Project Lateral Restriction - Conditions on Future Service

The Town of Owasco imposes the following conditions, as warranted or recommended on the management of **new water lines to be constructed and located along Melrose Road and Town Hall Road** within an agricultural district:

- (1) The only land and/or structures which will be allowed to connect to the proposed **new water lines to be constructed and located along Melrose Road and Town Hall Road** within an agricultural district will be existing structures at the time of construction, further agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the filing of the Final Notice of Intent by the municipality.

Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, and special permit) is needed to move forward with project plans and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a “subdivision,” in part, as “any tract of land which is divided into five or more parcels.” Water service will not be extended to the fifth and subsequent parcels where no local approval is required and the land is located within a county adopted, State certified agricultural district.

- (2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident’s property may be removed by the municipality upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The municipality shall develop a hardship application to be filed with the municipality, approved by the County Department of Health, and agreed to by the Department of Agriculture and Markets.
- (3) If it can be demonstrated to the Department’s satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.
- (4) If land is removed from a county adopted, State certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.

Motion by Councilperson Kerstetter; Second Councilperson Melendez

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

Resolution 16-078 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 #3 2016 Vouchers # 1038-1109 in the amount of \$454,339.91
& Trust & Agency Voucher # 5167-5175 in the amount of \$20,571.98
for a total of \$474,911.89.

Motion by Councilperson Knaul; Second Councilperson Kerstetter

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

Resolution 16-079 adjourn to executive session at 5:40 PM to discuss possible litigation, personal issue, possible sale for real property.

Motion by Councilperson Kerstetter; Second Councilperson Melendez

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

Resolution 16-080 to return from executive session at 6:28 PM.

Motion by Councilperson Kerstetter; Second Councilperson Knaul

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

Resolution 16-081 to authorize Supervisor Wagner to sign agreement letter with Kathleen M. Bennett with Bond Schoeneck & King, as special counsel in relation to the acquisition of rights of way for sewer lines pursuant to eminent domain.

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

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

Resolution 16-082 per the request from Owasco Fire Department to town will implement a three year plan to install Stortz Connectors on the town's fire hydrants.

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

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

Resolution 16-083 to authorize Town Highway Superintendent Robert Bruno to hire an additional full time employee MEO or Laborer based on qualification.

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

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

Resolution 16- 084 to adjourn the meeting:

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

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

Meeting adjourned at **6:45 PM**.