

**TOWN OF OSWEGO**

2320 County Route 7  
 Oswego, New York 13126  
 Phone (315) 343-2424 Fax (315) 343-4414

Supervisor: Richard E. Kaulfuss

Town Board Members:

Greg Herrmann, Margaret Mahaney, Victoria Mullen, Richard Tesoriero

Attorney to the Board: Kevin C. Caraccioli

**AGENDA**

**December 11, 2018**

**6:00pm**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Town Clerk Report
5. Town Historian Report
6. Code Enforcement Report
7. Town Highway Superintendent Report
8. Town Supervisor Report
9. Public Comment
10. Old Business: Community Center Update
11. New Business: Date for 2019 Organizational Meeting
12. Resolution #2018-\_\_\_\_\_ Be it resolved that the Oswego Town Board approves the Minutes from the November 13, 2018 Board Meeting, the Town Clerk’s Report, the Supervisor’s Financial Report, the Code Enforcement Report, The Dog Control Officer’s Report and the Cemetery Report.

Moved by \_\_\_\_\_ Second \_\_\_\_\_

13. Resolution #2018-\_\_\_\_\_ Be it resolved that the Oswego Town Board approves the invoices on Abstract #13 as follows:

General Fund	V 397 – 436	\$68,419.96
Highway Fund	V 213 – 229	\$91,714.24
Special Districts	V 69 - 72	\$2,390.51
Trust & Agency	V 26	\$429.00

Moved by \_\_\_\_\_ Second \_\_\_\_\_

14. Resolution #2018-\_\_\_\_\_ Resolved, the Oswego Town Board does hereby approve the following Budget Modifications:

FROM: DA 2650 -Sale of Scrap and Excess Material \$33,473.00  
 TO: DA 5130.2 – Machinery and Equipment Capital Purchase \$33,473.00  
 To enable payment of new pick-up as authorized at November meeting

FROM: DA 5130.1 -Mach and Equip personnel \$ 150.00  
 TO: DA 5120.1 -Bridges Personnel \$ 150.00  
 To cover costs better associated with Dept or Line item functions

INCREASE DA 5130.4 – Mach and Equip Contractual \$ 4,666.70  
 To reflect unanticipated revenue from mowing county roads in Minetto, Fire Department and cemetery fuel sales and snow removal at Town Hall, Fire Department and sewer districts

FROM: A 1110.41 Town Justice – Contractual \$ 39.76  
 TO: A 1110.1 Town Justice – Personnel \$ 39.76  
 To adjust a budgeting error

FROM: A 1220.11 Supervisor Admin assist \$ 1,445.58  
 TO: A 1220.4 Supervisor Contractual \$ 60.93  
 A 1620.15 CEO Clerk personnel \$ 1,1384.65  
 To cover costs better associated with Dept or Line item functions

FROM: A 1620.1 Buildings - Personnel \$ 100.00  
 A 1620.11 Building – Janitor \$ 1,200.00  
 TO: A 7140.1 Playgrounds Personnel \$ 1,300.00  
 To cover costs better associated with Dept or Line item functions

FROM: A 1410.4 Town Clerk – Contractual \$ 29.97  
 TO: A 1330. Tax Collection - Contractual \$ 29.97  
 To cover costs better associated with Dept or Line item functions

FROM: A 1620.1 Buildings - Personnel \$ 1,212.00  
 TO: A 1680.4 Computer Support \$ 1,212.00  
 To cover costs better associated with Dept or Line item functions

FROM: A 1990.4 Contingent Account (\$6,920 in left line) \$ 1410.32  
 TO: A 3620.4 – Safety Inspection Contractual \$ 227.00  
 A 7510.4 – Historian Contractual \$ 454.00  
 A 8020.4 – Planning Contractual \$ 448.00  
 A 9710.7 – Interest Buildings \$ 281.32  
 To cover costs associated with increased Code Enforcement activities, Town Bicentennial celebrations and actions by the planning board to include Comprehensive plan and required training.

Moved by \_\_\_\_\_ Second \_\_\_\_\_

15. Resolution #2018-\_\_\_\_\_ Be it resolved that the Oswego Town Board authorizes the Supervisor to make the necessary year-end budget and accounting modifications to close the 2018 accounts and send the report to the State Comptroller.

Moved by \_\_\_\_\_ Second \_\_\_\_\_

- 16. Resolution #2018-\_\_\_\_\_ Be it resolved that the Oswego Town Board regretfully accepts the resignation of Fred Ferguson from the position of Town Constable, effective December 31, 2018, and thanks him for his service to the Town.

Moved by \_\_\_\_\_ Second \_\_\_\_\_

- 17. Resolution #2018-\_\_\_\_\_ Be it resolved that the Oswego Town Board appoints Ellery D. Terpening Jr to the position of Town Constable effective January 1, 2019, and further names Fred Ferguson and a substitute to the position.

Moved by \_\_\_\_\_ Second \_\_\_\_\_

- 18. Resolution #2018-\_\_\_\_\_ Be it resolved that the Oswego Town Board Authorizes the creation of a part-time position as “Grants Administrator; said position for be funded as allowable from grants received by the Town of Oswego, at a rate of \$20.00 per hour for approximately 5 hours per week..

Moved by \_\_\_\_\_ Second \_\_\_\_\_

- 19. Resolution #2018-\_\_\_\_\_

Whereas the Oswego Town Board in 2018 budgeted funds to cover projected retirement costs in the Highway Department, as recommended by the NYS Comptroller’s office in its Fiscal Audit; and,

Whereas in 2018, these expenditures have not yet occurred, but are recognized as potential future expenditures,

Be it thereby resolved, that the Oswego Town Board does by this resolution establish an “Employee Benefit Accrued Liability Reserve Fund” as authorized by GML Section 6-p and further recommended by the NYS Comptroller’s office, to pay for any accrued “employee benefit” due an employee on termination of the employee’s service and does authorize the Town Supervisor to establish a separate bank account for this fund. Transfer of funds into this account, in keeping with stated purpose and statue, should be made by the bookkeeper and the end of this, or any subsequent fiscal year, of all such budgeted yet unspent funds from line item DA 9089.4 Other Employee Benefits contractual. A referendum is not required either to create or expend moneys from the reserve if in keeping with stated purpose

Moved by \_\_\_\_\_ Second \_\_\_\_\_

- 20. Resolution #2018-\_\_\_\_\_

Whereas The Oswego Town Highway Dept. undertook a complete replacement of the Rathburn Road Bridge, under the direction and supervision of Highway Supt. David Sterio, completing the work using in house labor even though never having undertaken a project of this magnitude, delivering a top quality structure scheduled to last 75 years or more, and did not exceed budget limits, saving the taxpayers @ \$200,000.00, and,

Whereas, The Town of Oswego Highway Department received the Transportation Project of the Year Award from the American Public Works Association

Be it therefore resolved, that the Town of Oswego Town Board hereby congratulates the men of the Highway Department, and Superintendent Sterio for their hard work in completing Rathburn Road Bridge.

Moved by \_\_\_\_\_ Second \_\_\_\_\_

21. Resolution #2018- \_\_\_\_\_

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF OSWEGO AS FOLLOWS:

Section 1. Pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), the Town Board of the Town of Oswego (the Town") hereby determines that the Purpose (as herein defined ) is a Type II Action, and that no further action is required to satisfy the requirements of SEQRA.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$20,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution is the sewer system improvements for the Sleepy Hollow Sewer District including but not limited to the replacement of sewer pumps and the repairs to a control panel, including issuance costs of the Bonds and bonds anticipation notes hereinafter referred to (collectively, the "Purpose").

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Board, is \$20,000, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 4 of Paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is thirty (30) years. The proposed maturity of the Bonds will not exceed five (5) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor of the Town, consistent with the provisions of the Local Finance Law.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued

pursuant to this Resolution, and to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Oswego, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year, to the extent the necessary funds are not provided from other sources. There shall be levied annually on all taxable real property in the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable, to the extent the necessary funds are not provided from other sources.

Section 9. This Resolution shall constitute the Town’s “official intent”, within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution or a summary thereof, shall be published in full by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 11. The firm Barclay Damon LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the Bonds and notes herein authorized.

Section 12. Subject to the provisions of Subdivision 1(1) of Paragraph b of Section 35.00 of the Local Finance Law, this Resolution is not subject to permissive referendum and shall take effect immediately upon its adoption.

Moved by: \_\_\_\_\_ Second \_\_\_\_\_

22. Resolution #2018-\_\_\_\_\_

Be it resolved that the Oswego Town Board authorizes a letter of thanks be sent to the New England Carpenters’ Union, Local 277, for the donation of the extra hours needed for the completion of the wheelchair ramp to the Town of Oswego’s Community Center.

Moved by \_\_\_\_\_ Second \_\_\_\_\_

23. Executive Session if needed

24. Adjournment