

**Town of Oswego  
Town Board Meeting  
December 11, 2018**

The meeting of the Town Board was held on December 11, 2018 at town hall. Supervisor Kaulfuss opened the meeting at 6:00 PM with the Pledge of Allegiance.

**Present:**

Supervisor	Richard Kaulfuss
Councilor	Greg Herrmann
Councilor	Margaret Mahaney
Councilor	Victoria Mullen
Councilor	Richard Tesoriero
Attorney	Kevin C. Caraccioli

**Others Present:**

Highway Superintendent	David Sterio
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**Public Comment:** None

Reports of the Town Supervisor, Highway Superintendent and Town Clerk can be accessed at [www.townofoswego.com](http://www.townofoswego.com)

**Old Business:**

**Community Center Update.** ADA Ramp is complete.

**New Business:** Organizational Meeting will be held on January 2, 2019 6pm. Workshop scheduled for January 22 will be held as a regular board meeting.

Fire department Installation Banquet will be held Saturday January 12, 2019.

**Resolution 2018-133 Approval of Minutes**

On motion by Councilor Tesoriero, second Councilor Herrmann the following resolution was adopted 5 Ayes. Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays. Resolved the Oswego Town Board approves the minutes from the November 13 board meeting.

**Resolution 2018-134 Approval of Abstract**

On motion by Councilor Mahaney, second Councilor Mullen the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays. Resolved 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
Highway Capital Project Fund		
Special Districts	V 69-72	\$2390.51

Trust & Agency	V 26	\$429.00
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**Resolution 2018-135 Budget Modifications**

On motion by Councilor Herrmann, second Councilor Mullen the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays. 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.

**Resolution 2018-136 Year End Budget Modifications**

On motion by Councilor Tesoriero, second Councilor Mahaney the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays. 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.

**Resolution 2018-137 Fred Ferguson Retirement**

On motion by Councilor Tesoriero, second Councilor Herrmann the following resolution was adopted 5 Ayes, Herrmann Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays. 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 22 years of service to the Town.

**Resolution 2018-138 Town Constable Appointment**

On motion by Councilor Mullen, second Councilor Tesoriero the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays. 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 as a substitute to the position.

**Resolution 2018-139 Grants Administrator Position**

On motion by Councilor Mullen, second Councilor Tesoriero the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays. Be it resolved that the Oswego Town Board Authorizes the creation of a part-time position as “Grants Administrator; said position to 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..

**Resolution 2018-140 Establishment of Employee Benefit Accrued Liability Reserve Fund**

On motion by Councilor Tesoriero, second Councilor Herrmann the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays

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

**Resolution 2018-141 Congratulations to the Highway Department**

On motion by Councilor Mahaney, second Councilor Tesoriero the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays.

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.

**Resolution #2018-142 Sleepy Hollow SEQRA**

On motion by Councilor Tesoriero, second Councilor Herrmann the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays

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.

**Resolution #2018-143 Letter of Thanks, Carpenters Union**

On motion by Supervisor Kaulfuss, second Councilor Tesoriero the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero; 0 Nays. 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.

**Resolution #2018-144 Municipal Solutions Consulting Contract**

On motion by Supervisor Kaulfuss, second Councilor Mahaney the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero; 0 Nays. Be it resolved that the Oswego Town Board authorizes the Supervisor to sign the consulting contract with the Municipal Solutions Inc. of Canandaigua NY on behalf of the Town of Oswego for bonding issues.

On Motion by Tesoriero, second Councilor Mahaney to adjourn the meeting at 6:29PM. Motion passed unanimously.

Respectfully submitted,

Nikki Fowler  
Oswego Town Clerk