

**Town of Oswego
Town Board Meeting
May 14, 2019**

The meeting of the Town Board was held on May 14, 2019 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
Assessor	Rick Hogan

Public Comment: None

Reports of the Town Supervisor, Highway Superintendent and Town Clerk can be accessed at www.townofoswego.com

Old Business:

New Business:

Town Hall Bond Savings of \$120,000.00
Planned on meeting June 5 re: engineer Report update on progress.
Sleepy Hollow
AUD available. Fiscal Stress reduced!
\$200,000.00 Bond Rathburn Road
Rudy's

Resolution 2019-50 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 April 9, 2019 Board meeting, the Town Clerk's Report, the Supervisors Financial Report, the Code Enforcement Report, the Dog Control Officer's Report and the Cemetery Report.

Resolution 2019-51 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 #6 as follows:

General Fund	Vouchers	140-176	\$36,748.55
Highway	Vouchers	65-81	\$21,513.05
Special Districts	Vouchers	21-26	\$52,169.07
Trust & Agency	Vouchers	5	\$ 442.00

May 14, 2019

Resolution 2019-52 Budget Modifications

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 following budget modifications:

Budget Modification: \$2000.00

From: A 5132.1 Garage Personal

To: A 1620.1 Buildings Personal

Resolution 2019-53 Revised Policy and Procedure Manual

On motion by Councilor Herrmann, second Councilor Mahaney the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Tesoriero, 0 Nays. Be it resolved that the Oswego Town Board approves the revised Policy and Procedure Manual and adopts all policies as contained within current manual.

Resolution 2019-54 Re-Affirm and resubmission or NBRC Grant

On motion by Supervisor Kaulfuss, second Councilor Tesoriero the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays. Resolved the Oswego Town Board reaffirms the NBRC (Northern Border Regional Commission) grant application, approves the re-submission of the application for 2019. Further the Town Board thanks Carrie Iorizzo for revising and re-submitting the application.

Resolution 2019-55 Refinance of Town Hall Bond

On motion by Supervisor Kaulfuss, second Councilor Herrmann the following resolution was adopted 5 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays. Resolved the Oswego Town Board authorizes the Town Supervisor to sign the necessary documents required for the refunding of the Town Hall bond.

Resolution 2019-56

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

WHEREAS, the Town of Oswego (the "Town") is a municipal corporation and a political subdivision of the State of New York, which is managed by the Town Board ("Town Board") of the Town; and

WHEREAS, the Town Board manages the Sleepy Hollow Sewer District ("Sleepy Hollow SD" or "Sewer District"), a municipal wastewater treatment plant an improvement district benefiting property owners located within the Sewer District; and

WHEREAS, the Town received a letter from the New York State Department of Environmental Conservation ("NYSDEC") requiring significant mandatory improvements to be completed in an expedient manner (i.e. renewal of SPDES Permit by June 1, 2019, requiring disinfection treatment of the sewage treatment plant effluent per March 1, 2019 letter from NYSDEC); and

WHEREAS, the Town received an additional letter from the New York State Department of Environmental Conservation ("NYSDEC") as of April 18, 2019 regarding the 2019 Annual Compliance Inspection and noting additional significant improvements to be completed in an expedient manner; and

WHEREAS, General Municipal Law §103(1) generally requires that all contracts for public

work involving an expenditure of more than thirty-five thousand dollars be awarded to the lowest responsible bidder after advertisement for sealed bids; and

WHEREAS, General Municipal Law §103(4) provides an exception to the requirement for competitive bidding in the event of a true public emergency, arising out of an unforeseen occurrence or condition, causing circumstances affecting public facilities and jeopardizing the life, health, and safety of the citizens of the Town. And, given the failure of certain components in the Sleepy Hollow SD and the requirements of the NYSDEC directives, together with the inordinate and substantial weather events this Spring resulting in significant increases in rainwater further infiltrating and debilitating the Sewer District, now requires the rapid or immediate purchase and installation of replacement components and equipment for the Sleepy Hollow SD treatment plant which cannot await the competitive bidding process; and

WHEREAS, the failure to address control, monitoring or sampling systems may result in discharges from the wastewater treatment plant and poses a life safety hazard to all consumers of the Sleepy Hollow SD, necessitating immediate replacement of the components and equipment; and

WHEREAS, the Town Board has sought estimates to complete the proposed improvements required to comply with the deadlines set forth in the NYSDEC letter and the Town's engineer has utilized these estimates to develop a project cost estimate of approximately \$240,000 for the upgrades to the Sleepy Hollow SD and has identified the immediate and emergency repairs needed for pumps and control systems to be \$44,270;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF OSWEGO, OSWEGO COUNTY, STATE OF NEW YORK, AS FOLLOWS:

SECTION 1. The Town Board hereby declares a temporary public emergency, pursuant to section 24 b of the NYS Executive Law, with respect to the operations at the Sleepy Hollow SD treatment plant, critical components of which have failed or are failing and under direction by the NYSDEC to be immediately addressed.

SECTION 2. The Town Board shall undertake to have immediate repairs to the pumps and controls systems and to seek funding for such repairs

SECTION 3. The Town Board shall submit for Engineering Planning Grant through the New York State Environmental Facilities Corporation for an amount up to \$240,000.

SECTION 4. The Town Supervisor is hereby authorized to take all other necessary action required to give effect to the purpose of this Resolution and the actions to be taken by the Town of Oswego in furtherance thereof.

WHEREFORE, the foregoing Resolution was put to a vote of the members of the Town Board of the Town of Oswego this 14th day of May, 2019,

Motion by Supervisor Kaulfuss, second Councilor Mahaney to close the meeting at 6:20 PM. Motion passed unanimously.

Respectfully submitted.

Nikki Fowler
Oswego Town Clerk

