

**Town of Oswego
Town Board Meeting
December 10, 2019**

The meeting of the Town Board was held on December 10, 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- Excused Absence
Councilor	Richard Tesoriero
Attorney	Kevin C. Caraccioli

Others Present:

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: REDI Update- Supervisor Kaulfuss has been invited to Albany to attend the 2019 Regional Economic Development Council Awards, hopefully this indicates that the town will be awarded additional REDI funding.

New Business: NYS v. International Joint Commission- See explanation from Attorney Caraccioli. The county is looking into developing an active shooter training with the Oswego County Sheriffs Office, towns and villages will be invited to participate as part of Shared Services.

Resolution 2019-116 Approval of Minutes

On motion by Councilor Mahaney, second Councilor Herrmann the following resolution was adopted 4 Ayes, Herrmann, Kaulfuss, Mahaney, ~~Mullen~~, Tesoriero, 0 Nays. Resolved the Oswego Town Board approves the minutes from the November 12, 2019 Board meetings, the Town Clerk's Report, the Supervisors Financial Report, the Code Enforcement Report, the Dog Control Officer's Report and the Cemetery Report.

Resolution 2019-117 Approval of Abstract

On motion by Councilor Herrmann, second Councilor Mahaney the following resolution was adopted 4 Ayes, Herrmann, Kaulfuss, Mahaney, ~~Mullen~~, Tesoriero, 0 Nays. Resolved the Oswego Town Board approves the invoices on Abstract #13 as follows:

General Fund	Vouchers 365-402	\$139,735.57
Highway	Vouchers 206-227	\$ 34,675.54
Special Districts	Vouchers 62-69	\$ 4,978.34
Trust & Agency	Vouchers 12	\$ 442.00

December 10, 2019

Resolution 2019-118 Budget Modifications

On motion by Councilor Mahaney, second Councilor Tesoriero the following resolution was adopted 4 Ayes, Herrmann, Kaulfuss, Mahaney, Mullen, Tesoriero, 0 Nays. Resolved the Oswego Town Board approves the following budget modifications

Budget Modification: \$ 20,000.00

From: DA 5130.1 Machinery & Equipment, Personal

To: DA 5110.1 General Repairs, Personal

Budget Modification: \$ 3,000.00

From: DA 5130.1 Machinery & Equipment, Personal

To: DA 5140.1 Brush and Weeds, Personal

Budget Modification: \$ 4,676.00

From: DA 5112.4 Capital Projects, Contractual

To: DA 5130.4 Machinery & Equipment, Contractual

Resolution 2019-119 Year End Financials

On motion by Councilor Herrmann, second Councilor Herrmann, the following resolution was adopted 4 Ayes, Herrmann, Kaulfuss, Mahaney, ~~Mullen~~, Tesoriero, 0 Nays. Resolved the Oswego Town Board Does hereby authorize the Supervisor and bookkeeper to make the necessary year-end budget and accounting modifications to close the 2019 accounts, complete the Annual Update Document (AUD) and send the report to the State Comptroller.

Resolution 2019-120 Barry Pritchard re-appointment

On motion by Councilor Herrmann, second Councilor Tesoriero the following resolution was adopted 4 Ayes, Herrmann, Kaulfuss, Mahaney, ~~Mullen~~, Tesoriero, 0 Nays. Resolved the Oswego Town Board does hereby reappoint Mr. Barry Pritchard to the Town of Oswego's Board of Assessment Review.

Resolution 2019-121 Carrie Iorizzo Resignation

On motion by Councilor Mahaney, second Councilor Herrmann the following resolution was adopted 4 Ayes, Herrmann, Kaulfuss, Mahaney, ~~Mullen~~, Tesoriero, 0 Nays. Be it resolved that the Oswego Town Board does hereby accept the resignation of Mrs. Carrie Iorizzo from the positions of Budget Officer and Administrative Assistant to the Supervisor effective December 20, 2019

Resolution 2019-122 Establish full time Clerk to Supervisor

On motion by Councilor Herrmann, second Councilor Tesoriero the following resolution was adopted 4 Ayes, Herrmann, Kaulfuss, Mahaney, ~~Mullen~~, Tesoriero, 0 Nays. Be it resolved that the Oswego Town Board does hereby agree to re-establish a full-time position for Clerk to the Supervisor beginning hiring process January 1, 2020.

Resolution 2019-123 Excess Funds to the Cemetery

On motion by Councilor Tesoriero, second Councilor Herrmann the following resolution was adopted 4 Ayes, Herrmann, Kaulfuss, Mahaney, ~~Mullen~~, Tesoriero, 0 Nays. **Whereas** the Town of Oswego has a surplus of revenue; and **Whereas** the Cemetery Dept. has an excess of funds: be it resolved by the Town Board of Oswego agrees to transfer \$3,000.00 from the General Fund to the Cemetery Expendable Fund.

Resolution 2019-124

On motion by Supervisor Kaulfuss, second Councilor Tesoriero the following resolution was adopted 4 Ayes, Herrmann, Kaulfuss, Mahaney, ~~Mullen~~, Tesoriero, 0 Nays. Be it resolved that the Oswego Town Board approves the following:

WHEREAS, the Sleepy Hollow Subdivision Tract was approved by the New York State Department of Health on February 4, 1964 and filed as Map 1918 with the Oswego County Clerk's Office on February 28, 1964 and said map laid out a plan for the development of the Sleepy Hollow Subdivision in 2 phases consisting of approximately 86 separate building lots; and

WHEREAS, the Town of Oswego accepted a road dedication on or about November 14, 1997 from then owners Jeffrey M. Carson and Patricia A. Carson d/b/a J&P Carson Enterprises that turned over the roadways running through what is commonly referred to as Phase II of the Sleepy Hollow Subdivision, to wit: a roadway running from Lakeridge Road extending from Lakeshore Road to its intersection with Perry Hill Drive at the point where Perry Hill Drive adjoins Lot No. 41 of the Sleepy Hollow Subdivision Tract; and Perry Hill Drive from its intersection with Lakeridge Road where Lakeridge Road adjoins Lot No. 61 of said Tract, extending southerly and easterly to the point where Perry Hill Road adjoins the easterly line of Phase I of the Tract, or the westerly line of Lot No. 43 extended northerly; and

WHEREAS, the roadway was turned over to the Town of Oswego together with a right-of-way for ingress and egress and for utility purposes over, under and across the northerly 10' of Lot 47 and the southerly 10' of Lot 48 of the said Sleepy Hollow Subdivision so that the Town of Oswego could maintain access to the Sleepy Hollow Sewage Treatment Plant; and

WHEREAS, the roadway dedicated to the Town of Oswego was never constructed, and was unable to be constructed due to restrictions imposed by the New York State Department of Environmental Conservation, and was the subject of litigation between the Carsons and the Town of Oswego, which was ultimately settled in 2002; and

WHEREAS, on October 5, 2019, the County of Oswego auctioned the parcel, identified as Oswego County Tax Map ID No.: 144.16-02-01, and consisting of 28.19 acres to Kenneth Fox for the sum of \$23,000; Mr. Fox now desires to have the Town of Oswego declare the roadways through his property abandoned; and

WHEREAS, pursuant to New York State Highway Law Section 205 if Town road has not been traveled upon or used for a period of 6 years, the Town is entitled to declare it abandoned and file a Certificate of Abandonment of said road; and

WHEREAS, the Town roads in question, Lakeridge Road and Perry Hill Drive, running on and through the real property now owned by Kenneth Fox has never been used as a Town road and has clearly been abandoned in a manner consistent with NYS Highway Law Section 205; and

WHEREAS, the Town Board for the Town of Oswego hereby determines it to be in the best interest of the Town of Oswego to declare these Town roads abandoned;

NOW, THEREFORE BE IT

RESOLVED, that the Town roads known as Lakeridge Road and Perry Hill Drive, running through the former Sleepy Hollow Subdivision Phase II as identified in a Tract Map dated August 8 1963 and filed in the Oswego County Clerk's Office on February 28, 1964, designated as filed Map No. 1918 in Drawer D-11, Map Book 25, Pages 69 & 70 is hereby declared abandoned by the Town of Oswego; and it is further

RESLOVED, that the abandonment of these Town roads is subject to and conditioned upon the continuation of the right-of-way for ingress and egress and for utility purposes over, under and across the northerly 10' of Lot 47 and the southerly 10' of Lot 48 of the said Sleepy Hollow Subdivision as further set out in the Warranty Deed executed by Jeffrey M. Carson and Patricia A. Carson to the Town of Oswego on November 14, 1997 and recorded in the Oswego County Clerk's Office on November ____, 1997 at Book 1392 at Page 339; and it is further

RESOLVED, that the Town Supervisor is hereby authorized to execute any other legal documents on behalf of the Town of Oswego to formalize the continuation of the right-of-way to and from the Sleepy Hollow Sewage Treatment Plant; and it is further

RESOLVED, that the Town Highway Superintendent is hereby directed to file a Certificate of Abandonment in accordance with NYS Highway Law Section 205.

Motion by Councilor Tesoriero, second Councilor Mahaney to close the meeting at 6:48 PM. Motion passed unanimously.

Respectfully submitted.

Nikki Fowler
Oswego Town Clerk