**MINUTES OF THE MEETING OF THE TOWN BOARD**

TOWN OF SANDY CREEK
1992 HARWOOD DRIVE, PO BOX 52

SANDY CREEK, NEW YORK 13145-0052

**Date:** July 14, 2021

**Kind of Meeting:** Regular Meeting

**Place:** Town Hall

**Board Members Present:** Nancy Ridgeway  **Others Present:**

 Ruth E. Scheppard Michael C. Kastler

 Nola J. Gove Tammy L. Miller

 John W. Wood, Jr. Anthony Young, P.E.

 Dave Warner Michael G. Yerdon

 Joseph W. Russell, Esq.- left at 7:05 pm

 Wayne Miller

 Shirley Rice

 Carol Rohrmoser

 William J. Joyce

 Darrin Harten

 Steve Balcom

 Nancy Dingman

 William E. Eastman- left at 7:11pm

 Robert J. Eastman- left at 7:11 pm

 Janet & Kenneth Creech

 Andrew Zahler

**CALL TO ORDER:**

Supervisor Nancy Ridgeway called the meeting to order at 7:01 pm with the Pledge of Allegiance. She introduced Attorney Joseph W. Russell of the firm Barclay Damon.

**RESOLUTION 47-21**

On motion by Ruth E. Scheppard, seconded by Nola J. Gove, the following resolution was

ADOPTED - 5 Ayes Ridgeway, Scheppard, Gove, Wood, Warner

 0 No

**Resolved** that the Town Board of the Town of Sandy Creek appoints Attorney Joseph W. Russell and the firm of Barclay Damon to represent the Town of Sandy Creek.

Mr. Russell answered a few questions. His firm employs approximately 500 attorneys. Three work from his Watertown office. He has 36 years of experience. He also represents the Village of Sandy Creek. Should there be any conflict of interest, he would step back and another attorney would be involved in the matter. Mr. Russell left the meeting at 7:05 pm.

**APPROVAL OF MINUTES:**

**RESOLUTION 48-21**

On motion by John Wood, Jr, seconded by Dave Warner, the following resolution was

ADOPTED - 5 Ayes Ridgeway, Scheppard, Gove, Wood, Warner

 0 No

**Resolved** that the minutes of the June 9th and 17th meetings are approved as written.

**FINANCIAL REPORT**

The monthly financial report of the Supervisor for June 2021 was filed today in the Town Clerk’s office. The Town Board received a copy tonight.

The Eastman’s have filed a Site Plan Review application for Eastman Dairy Farm LLC for construction of a new concrete manure storage facility at 403 Co Rt 62. They have completed all documentation required by Local Law #2 of 2017, A Local Law Reviewing Manure Storage Facilities for CAFOs in the Town of Sandy Creek. The Town Board deemed the application complete and verified that no fee is required.

**REPORTS:**

Sole Assessor- Rebecca Trudell’s report has been filed in the Town Clerk’s office. She will be doing fieldwork soon.

Dog Control Officer – Anne Derr prepared a report for the Town Board and it is filed in the Town Clerk’s office. Many complaints were received regarding dogs at the Paro property on Co Rt 22. The NYS Troopers investigated, the owner was charged and the dogs were removed from the property with help from the SPCA. Sandy Creek Dog Control did not participate in the seizure of the dogs.

Highway/Water Superintendent – Michael C. Kastler read his highway and water department reports. He explained the highway repair funding that the town received. The budget needs to be amended to account for the funds received to be spent this year. The Town of Orwell purchased an Etnyre 2WD chip spreader with a Cummins engine, serial # K6106. They want to share it with nine other towns including Sandy Creek. Our cost would be $2,000 of the $20,000 total cost. There is an invoice from Orwell in the bills tonight if the Town Board gives approval. An intermunicipal agreement will be needed.

**RESOLUTION 49-21**

On motion by John Wood, Jr, seconded by Dave Warner, the following resolution was

ADOPTED - 5 Ayes Ridgeway, Scheppard, Gove, Wood, Warner

 0 No

**Resolved** that the Town Board of the Town of Sandy Creek agrees to pay 1/10 of the purchase price of an Etnyre 2WD chip spreader with a Cummins engine, serial # K6106 to be used cooperatively with nine other towns.

Attorney Russell agreed that Sandy Creek can piggyback off Richland’s bid for the paving of Hinman Road. The majority of this road is in the Town of Richland with a smaller portion in the Town of Sandy Creek. It is scheduled to be done in August. The IMA with Richland should be amended for this purpose in the future.

Superintendent Kastler has asked WD Malone for a quote to install water main on Sunset Lane which runs between Blind Creek Drive and Cove Road. He hopes we may be able to use the WD#1 fund balance to pay for its construction. Water District #3 is struggling to get pipe. They are waiting for loads of pipe to install. The contractor started pressure testing some of the mains. A reserve fund will need to be set up in Water District #3. Supervisors Krupke and Ridgeway, and Superintendent Kastler will meet with Darrin Harten on Monday regarding the PRV vault placement. Janet and Kenneth Creech on Co Rt 15 were present to express their desire for public water at their residence. The Town Clerk agreed to start another public water interest list.

Historian – Peggy Rice’s written report for June has been filed in the Town Clerk’s office. Supervisor Ridgeway summarized her report.

Town Justice- The monthly reports of the Town Justices have been received by the Town Supervisor.

Legislator – County Legislator Michael G. Yerdon reported that on July 15th the Oswego County Legislature will meet at 2 pm. Most of the county departments are operating normally. The DMV is making progress. He is working to schedule a Covid vaccination clinic at the end of the month possibly at the Lacona Fire Hall. The county hired a new purchasing agent. Town Clerk Miller spoke with him about the length of time it is taking to get E911 addresses assigned. He presented the board with a packet including information on the Traveling Parks Summer Program, the Senior Farmer Market Coupon Distribution, the Leadership Oswego County Youth (LOCY) program, and the NYS Emergency Rental Assistance Program. Camp Zerbe held their STEAM camp this week. Many of the buildings there need to be updated in the future. Federal funding for Medicaid is sent to NYS. The state owes Oswego County approximately $4.2 million. NYS also owes the county $700,000 for community college funding. The YMCA bridge at the western end of Co Rt 15 near Sandy Island Beach State Park needs replacing. The bridge is not wide enough or high enough. It needs to be raised approximately two feet. It will be best if the adjacent campground is not affected by this project. The bridge will likely be placed in its former location. The old road bed was there before DEC wetlands were mapped. In this location property will not have to be purchased or taken from individual property owners. It will be less expensive and a temporary bridge will not need to be constructed.

Library – Library Director Jessica Godfrey e-mailed her report today. She thanked the Town Board for the landscaping and having the carpet shampooed at the library.

NOCA – Nancy Dingman was present to give an update on Northern Oswego County Ambulance. Calls and transports have increased as they do every spring. There is a three minute lag time between a call coming in and dispatch. They are working on speeding up the process. A new computer program tells the crew that there is a call immediately.

Planning Board – Bill Joyce reported for the Sandy Creek Regional Planning Board. At the July 7th meeting election of officers was held. Larry Rice is now the Chairman; Frank Dixon, Vice Chairman; Bill Joyce, Secretary-Treasurer; and Sybil Cummings, Recording Secretary. Mr. Joyce filed a written resignation from Tom Ready with the Town Clerk at this meeting. Past Chairman Shirley Rice has decided to seek reappointment as a village representative on the planning board. The by-laws have been reviewed and some changes have been drafted. A seven member board is proposed with 5 members appointed by the Town Board and 2 members appointed by the Village of Sandy Creek Board of Trustees. Mr. Joyce asked the Town Board members to please review the proposed draft and he would like it sent to the attorney for review. They are also proposing that if a member misses a meeting, they don’t get paid for that month. The new Recording Secretary will be drafting the minutes of each meeting with the Secretary-Treasurer reviewing and finalizing the draft. Supervisor Ridgeway introduced Andrew Zahler to Mr. Joyce. She asked that they set up a meeting to answer some questions that Mr. Zahler has regarding the possible sale and future use of his property on St Rt 3.

Code Enforcement Officer – John Howland was excused this evening. His report for June 2021 is on file in the Town Clerk’s office.

Board of Appeals – Chairman Michael Kastler reported that the Board of Appeals met tonight to review a variance application from Krista L. Poole, Executor of the Gretchen K. Feussner Estate at 62-64 Wigwam Dr (027.07-01-22). A variance is requested to sub-divide one parcel into two parcels, resulting in lots that do not meet the minimum lot size. The application was deemed complete. A public hearing will be held on July 28th at 7 pm.

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of June totaled $2,038.25. Of this total, $1,892.82 was town revenue. This report is on file in her office and available for public inspection.

**PUBLIC COMMENT:** There was none at this time.

Engineers – Anthony Young, P.E. of Barton & Loguidice was present to update the Town Board on the current water project. A construction progress meeting was held on July 13th. More than 100,000 linear feet of water main has been installed. This is approximately 63% of the total length of water main for the project. Approximately 67% of the total number of water services have been installed. Some pressure testing and chlorination is being done. There is a mainline crew working on Miller Road now. Manufacturing of pipe is slow. As soon as deliveries are received, it is installed. We hope to see the pricing drop, but it may continue to rise. Once the Comptroller approves the optional areas, the contractor will likely need time extensions. The Comptroller’s office finally has all the paperwork it needs for approval. The drill crew had some mechanical issues. St Rt 3 and other areas near the optional areas may be done last due to waiting for Comptroller approval. The DEC has not issued a final decision on the CEHA area yet.

**OLD BUSINESS:**

Supervisor Ridgeway welcomed Councilman Warner back. The Town of Sandy Creek will be receiving $252,609 in American Rescue Plan Act (ARPA) funding. Half is scheduled to be received this month and half in 2022. Supervisor Ridgeway spoke with Barnard Rafferty of 653 Co Rt 62 numerous times. He wants his EDU lowered in Water District #3. His home is over 1,000 feet from the road and he does not want to connect to public water.

**RESOLUTION 50-21**

On motion by Nancy Ridgeway, seconded by Ruth E. Scheppard, the following resolution was

ADOPTED - 5 Ayes Scheppard, Wood, Ridgeway, Gove, Warner

 0 No

**Resolved** as that the Town Board of the Town of Sandy Creek authorizes the Equivalent Dwelling Unit (EDU) at 653 Co Rt 62 to be reduced to 0.5 units on the condition that the owner signs an agreement that he understands if he decides to connect to public water the EDU assigned will go back to a minimum of 1.0 according to the standard district user charge.

**RESOLUTION 51-21**

On motion by Ruth E. Scheppard, seconded by Nola J. Gove, the following resolution was

ADOPTED - 5 Ayes Ridgeway, Scheppard, Wood, Gove, Warner

 0 No

**BE IT RESOLVED** that the Town Board of the Town of Sandy Creek approves the Agreement of Municipal Cooperation with the Towns of Amboy, Boylston, Mexico, Orwell, Redfield, Richland and Williamstown for the purchase, use and maintenance of a 2003 Midland SP8 Road Widener, Serial No. 284.

**NEW BUSINESS:**

The Town Board discussed whether or not to enact a local law opting-out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses. A decision needs to be made by December 31, 2021. There is a 13% tax on cannabis sales in NYS. The state keeps 9%. The county gets 1% and the town would get 3% of the tax. The Town Board decided **not** to pursue a local law banning cannabis dispensaries and lounges in the Town of Sandy Creek.

**RESOLUTION 52-21**

On motion by John W. Wood, Jr, seconded by Ruth E. Scheppard, the following resolution was

ADOPTED - 5 Ayes Ridgeway, Scheppard, Wood, Gove, Warner

 0 No

**BE IT RESOLVED** that the Town Board of the Town of Sandy Creek will grant permission to Parsons to investigate the landfill site on Co Rt 15 for the NYSDEC to determine if the site is causing contamination of a drinking water source if and only if NYSDEC will pay the costs of everything whether contamination is found or not.

Councilman Gove wondered if the town’s American Rescue Plan Act (ARPA) money can be used to fix the drainage issue on Powers Ave in the Village of Lacona.

**TRANSFER OF FUNDS/BUDGET AMENDMENTS**

**RESOLUTION 53-21**

**On motion** by Ruth E. Scheppard, seconded by John Wood, the following resolution was

**ADOPTED** - 5 Ayes Warner, Scheppard, Ridgeway, Wood, Gove

 0 No

**Resolved** that the Town Board of the Town of Sandy Creek authorizes the following changes to the 2021 budget:

**From Description To Description Amount**

DB5140.4 Brush&Weeds Contractual DB8790.4 Snyder Road Gravel Pit $ 560.00

H2-9901.9 Transfer to other funds A5031 Interfund transfer to close sewer fund 7,709.78

SF1-2401 SC Fire District Interest A2401 Interest & Earnings 104.23

SF2-2401 Lacona Fire Dist Interest A2401 Interest & Earnings 47.71

PN9901.9 Transfer to other funds A7410.46 Library Building 1,287.27

DB3501 Increase Consolidated Highway State Aid Revenue 53,924.00

DB5112.2 Increase CHIPS appropriations 30,832.00

DB5112.22 Increase PAVE NY appropriations 12,302.00

DB5112.23 Increase EWR appropriations 10,790.00

**RESOLUTION 54-21**

On motion by Ruth E. Scheppard, seconded by Nancy Ridgeway, the following resolution was

ADOPTED - 5 Ayes Ridgeway, Scheppard, Wood, Gove, Warner

 0 No

**BE IT RESOLVED** that the Town of Sandy Creek/30327 hereby establishes the following standard work days for these titles and will report officials to the New York State and Local Retirement System based on their record of activities:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Title | StandardWork Day(Hrs/day)Min. 6 hrsMax. 8 hrs | Name(First & Last) | SS #(Last 4 digits) | Registration Number | Tier 1(Check only if member is in Tier 1) | Current Term Begin & End Dates(mm-dd-yy-mm/dd/yy) | Record of Activities Result | Not Submitted(Check only if official did not submit their Record of Activities) |
| **Appointed Officials** |  |  |  |  |  |  |  |  |
| Bookkeeper | 6 | Jill Mattison | xxxx |  |  | 01/01/20-06/30/21 |  7.83 |  |
| Code Enforcement Officer | 6 | John Howland | xxxx |  |  | 01/01/20-12/31/21 | 5.03 |  |
| Dog ControlOfficer | 6 | Anne Derr | xxxx |  |  | 01/01/20-12/31/21 | 0.71 |  |
| Clerk to the Assessor | 6 | Julie Cronk | xxxx |  |  | 01/01/20-09/30/25 | 10.83 |  |
| Sole Assessor | 6 | Rebecca Trudell | xxxx |  |  | 10/01/19-09/30/25 | 8.00 |  |

**APROVAL OF BILLS**

**RESOLUTION 55-21**

On motion by John W. Wood, Jr, seconded by Nola J. Gove, the following resolution was

ADOPTED - 5 Ayes Ridgeway, Scheppard, Gove, Wood, Warner

 0 No

**Resolved** that the bills be paid on Abstract #12 in the following amounts:

General Fund $ 614.50

Trust & Agency $ 16,505.08

**And** on Abstract #13 in the following amounts:

General Fund $ 16,746.84

Highway Fund $ 162,614.29

Water District #3- H3 $1,251,250.25

NPRP REDI Grant-H5 $ 1,200.75

Dunes & Wetlands- H6 $ 1,320.00

Water District #1-SW $ 4,108.95

Water District #2-SW $ 452.33

Water District #3-SW $ 1,761.90

Trust & Agency $ 6,005.36

The next regular monthly meeting will be held August 11th at 7 pm. **On motion** by Nola J. Gove, and seconded by Ruth E. Scheppard, and carried unanimously, the meeting was adjourned at 8:56 pm.

Respectfully submitted,

Tammy L. Miller, Town Clerk