**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:** June 10, 2020

**Kind of Meeting:** Regular Meeting

**Place:** Town Hall

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

Ruth Scheppard Tammy L. Miller

Dave Warner Pat McDougal

Nola J. Gove Brittany M. Washburn

**Absent:** John W. Wood, Jr Pete Backus

Eric Pappa

Michael Kastler

Dustin Clark

Michael Yerdon

Norma Newman

Rebekah Prosachik, Esq.

**CALL TO ORDER:**

Supervisor Nancy Ridgeway called the meeting to order at 7:00 pm with the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

**RESOLUTION 71-20**

On motion by Ruth E. Scheppard, seconded by Dave Warner, the following resolution was

ADOPTED - 4 Ayes Ridgeway, Scheppard, Gove, Warner

0 No

1 Absent Wood

**Resolved** that the minutes of the May 13th and 20th meetings are approved as written.

**FINANCIAL REPORT-** The Monthly Report of the Supervisor was received by the Town Board tonight and is on file in the Town Clerk’s office.

**REPORTS-**

Sole Assessor- Rebecca Trudell’s monthly report is on file in the Town Clerk’s office. Supervisor Ridgeway read the report aloud regarding Grievance Day held on June 2nd.

Dog Control Officer – Anne Derr prepared a report for the Town Board and it is on file in the Town Clerk’s office.

Highway/Water Superintendent – Mike Kastler read his highway and water reports aloud at the meeting. They are on file in the Town Clerk’s office. He discussed CHIPS funding and is hoping that the town will receive at least 80% of the money from NYS. Ed Rotach has retired and Dustin Green will be hired to fill his full-time position beginning on July 5th. Superintendent Kastler wants to send a highway employee to water operator school. Second notices for water bills have been mailed. The automatic water salesman is being used frequently. Verizon should be starting construction of the cellular antenna on the water tower in about a week. After it is constructed the water tank will be inspected. There are approximately 177 easements still needed. B&L hosted a Zoom meeting last week regarding the pending easements. The current Excel spreadsheet needs to be organized and filled in better to help the water department track the easements. It is felt that the title company is not doing their job quickly enough to get all of the easements done so this project can begin. The DEC delayed us approximately seven months and we can’t afford more delays. The water department is considering switching meters. Paperwork was signed for Sensus meters. We need to find out if the agreement is binding or if we can change to Zenner meters through Blair Supply Corp.

Judges – The Town Justices have filed their monthly financial reports with the Town Supervisor.

Historian - Councilman Warner spoke to all three individuals that applied for the Historian position. They are all still interested and would like to interview. Supervisor Ridgeway would like to wait until our area is in Phase 4 of reopening to conduct the interviews.

Legislator – Michael G. Yerdon reported that the Oswego County Legislature will go back to live meetings starting on June 11th at 7 pm. The audience can view the meeting from a separate viewing room. There are questions regarding NYS funding. The county will not schedule many road paving projects as the Governor can change the funding levels each quarter. The county is being cautious and has new purchasing rules in place. They also have a hiring freeze and a step increase salary freeze. The sales tax revenue for the first quarter was good. However, we have all lost revenue as the second quarter sales tax receipts are down 30 to 40%. The Central New York region is entering Phase 3 this week, although things can change daily right up to Governor Cuomo’s daily press briefing. Legislator Yerdon is happy to have the County Legislature back in session and also to have committee meetings.

Planning Board – The Sandy Creek Regional Planning Board’s monthly report has been filed in the Town Clerk’s office.

Library – Superintendent Kastler received an email that the library wants a temporary lock change on an interior door at the library. Supervisor Ridgeway wants her name removed from the library’s security company’s emergency call list.

Water Advisory Committee- There was no meeting in May. Chairman Norma Newman believes that someone has “dropped the ball” and we are behind on easements for Water District #3.

Code Enforcement Officer – John Howland’s report for May is on file in the Town Clerk’s office and available for public inspection.

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of May totaled $2,831.00. Of this total, $2,744.50 was paid to Supervisor Ridgeway for town revenue. This report is on file in the Town Clerk’s office and available for public inspection. Due to Covid-19 the Town Hall is closed to the public. The Town Clerk’s office is requesting that all payments be made by mail or by placing them in the drop box on the front porch of the Town Hall. Appointments can be made for marriage licenses and for Notary Public services. The Town Clerk and her Deputy/Water Clerk will continue with flexible hours and working from home when possible until further notice.

Engineers – Dustin Clark, P.E. of Barton & Loguidice was present to update the Town Board on current projects. Attorney Prosachik said she received 25 to 30 easements today. She has reached out to the title insurance company and explained to them that the stub searches are needed as soon as possible. Issues with the easement spreadsheet were discussed. It needs to be sorted by road. Pete Backus and Pat McDougal were present to discuss the Coastal Erosion Hazard Area, the area in which the NYS DEC has refused to permit a public drinking water system. Mr. Backus explained that a group of landowners have hired an attorney and they are pursuing a lawsuit against the DEC for denying them safe drinking water. The only other option they have is for the town to submit a variance application to the DEC for this purpose. A telephone conference was held with Supervisor Ridgeway and representatives of Barton & Loguidice. The group would like their attorney to draft a variance or the town to appeal the DEC decision. A lengthy discussion continued with Attorney Prosachik explaining her understanding of this process. Mr. Clark said that the DEC will require a re-application of the project with the variance application. Mr. Backus is getting NYS Assemblyman Barclay and Senator Ritchie involved. Matt Marko of the NYS DEC has agreed to walk the CEHA area that was mapped for water main installation again on July 2nd. It is estimated that the cost for B&L to re-apply with a variance application would be a $1,500 to $2,000 additional cost to Water District #3. Town Clerk Miller explained that the Town of Richland needs to reimburse the Town of Sandy Creek for two bills from Seiter Law that are an ineligible project expense.

Pete Backus and Pat McDougal left the meeting at 8:02 pm.

B&L presented amendment #2 to the Town Board. WD Malone submitted their first MWBE application to the EFC several weeks ago, but because the EFC is only working one day per week waiver approval may take several more weeks. The contractor will be providing the town with a draft work schedule in the near future. Optional areas will be constructed last. The Greene Point area will be difficult and will likely be scheduled later in the project.

**OLD BUSINESS**

The final draft of the Teamsters’ Union contract has not been received for review and final vote. An executive session is needed tonight. Paperwork has been sent in for the remaining sewer project funding of $15,000. A letter was sent to the Sandy Pond Channel Maintenance Association requesting the t-shirt sale donations for the North Pond Resiliency Project. Paperwork for the fishing grant involving the Sandy Pond Sportsman’s Association was filed for reimbursement of $7,500.

**NEW BUSINESS**

**RESOLUTION 72-20**

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

**ADOPTED** - 4 Ayes Ridgeway, Scheppard, Gove, Warner

0 No

1 Absent Wood

**Resolved** that the Town Board of the Town of Sandy Creek reappoints Charles Anna as Town Constable with a term expiring December 31, 2020.

**RESOLUTION 73-20**

On motion by Ruth E. Scheppard, seconded by Dave Warner, the following resolution was

**ADOPTED** - 4 Ayes Ridgeway, Scheppard, Gove, Warner

0 No

1 Absent Wood

**Resolved** that the Town Board of the Town of Sandy Creek authorizes a $100 after-hours service call fee for homeowner issues to be added to the Schedule of Fees for the Water Department.

**RESOLUTION 74-20**

On motion by Dave Warner, seconded by Nola J. Gove, the following resolution was

**ADOPTED** - 4 Ayes Ridgeway, Scheppard, Gove, Warner

0 No

1 Absent Wood

**Resolved** that the Town Board of the Town of Sandy Creek authorizes Supervisor Ridgeway to sign the following **INTERMUNICIPAL AGREEMENT:**

**THIS AGREEMENT**, made this \_\_\_ day of \_\_\_\_\_\_\_, 2020, by and between the Town of Sandy Creek, hereinafter called “Town”, and the Village of Lacona, hereinafter called “Village”, both being municipal corporations in Oswego County, New York.

**WHEREAS**, the Village wishes to engage the services of the Town to assist in the snow plowing and ice control required by the Village, and

**WHEREAS**, the Town possesses the requisite personnel and equipment to assist the Village in the snow plowing and ice control services required by the Village, and

**WHEREAS**, the Town wishes to engage the services of the Village to assist in the snow plowing and ice control required by the Town, and

**WHEREAS**, the Village possesses the requisite personnel and equipment to assist the Town in the snow plowing and ice control services required by the Town.

**NOW, THEREFORE, BE IT RESOLVED,** that the Town agrees to snow plow the following streets in the Village of Lacona for the Village:

1. Academy Street

2. Demott Street

3. Cable Trail

4. Church Street

5. Maple Avenue

6. Park Avenue

7. Powers Avenue

8. Prospect Street

9. Salina Street

10. Tifft Street

**RESOLVED,** that additional work such as road repair, signage, drainage and any other repairs requested to be completed for the Village by the Town on an as needed basis and billed to the Village.

**RESOLVED,** it is expressly agreed that the relationship of the Town to the Village shall be that of an independent contractor. The Town shall not be considered an employee of the Village for any purpose including, but not limited to, claims for unemployment insurance, workers compensation, retirement or health benefits; and

**RESOLVED,** the Village agrees to indemnify and hold harmless the Town from and against any and all claims, demands and lawsuits for personal injury, including death, and property damage, which may arise from or be attributable to Town’s negligence or lack of care in its performance under the terms of this agreement; and

**RESOLVED,** that the Town shall name the Village as additional insured on any insurance policy that provides coverage for the acts performed under this agreement; and

Resolved, the term of this Agreement shall commence upon execution and expire two years thereafter or upon termination by either or both parties.

COVID-19 testing will be held on Thursday, June 11th at the Pulaski High School from 10am to 3:45pm. Oswego County Rabies Clinics are resuming, but will be by appointment only. Colonial Court Campground sent a letter requesting a reduction in their water bill. A review of all campgrounds will be needed if any reductions are given.

**TRANSFER OF FUNDS**

**RESOLUTION 75-20**

**On motion** by Ruth E. Scheppard, seconded by Dave Warner, the following resolution was

**ADOPTED** - 4 Ayes Warner, Scheppard, Ridgeway, Gove

0 No

1 Absent Wood

**Resolved** that the Town Board of the Town of Sandy Creek authorizes the following transfers of funds:

**From Description To Description Amount**

A1990.4 Contingent A1680.4 Central Data Processing Contractual $10,000.00

A1430.4 Clerk to Supervisor Contr. A1430.2 Clerk to Supervisor Equipment $ 900.00

SW1-1990.4 Contingent SW1-1910.4 Unallocated Insurance $ 251.00

The check from Auctions International was received for the Water Department’s 2014 Ford F250 pick-up truck and deposited in the Water District #1 fund.

**APROVAL OF BILLS**

**RESOLUTION 76-20**

On motion by Ruth E. Scheppard, seconded by Dave Warner, the following resolution was

**ADOPTED** - 4 Ayes Ridgeway, Scheppard, Gove, Warner

0 No

1 Absent Wood

**Resolved** that the bills be paid on Abstract #10 in the following amounts:

General Fund $ 279.99

NPRP Grant $ 2,670.07

REDI Grant Project $ 394,746.90

Trust & Agency $ 9,641.11

**And** on Abstract #11 in the following amounts:

General Fund $ 19,949.67

Highway $ 192,094.75

Water Project #3- H3 $ 47,490.64

N Pond Shoreline-H4 $ 1,564.53

SC Fire District- SF1 $ 157,000.00

Lacona Fire Dist-SF2 $ 76,500.00

Water District #1-SW $ 17,991.13

Water District #2-SW $ 339.83

Water District #3-SW $ 1,310.82

Trust & Agency $ 5,981.00

**RESOLUTION 77-20**

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

**ADOPTED** – 4 Ayes Gove, Scheppard, Warner, Ridgeway

0 No

1 Absent Wood

**Resolved** that the Town Board of the Town of Sandy Creek will enter executive session at 8:23 pm for the purpose of collective negotiations. Town Clerk Miller waited in her office for the regular meeting to resume.

**RESOLUTION 78-20**

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

**ADOPTED** – 4 Ayes Gove, Warner, Scheppard, Ridgeway

0 No

1 Absent Wood

**Resolved** that the Town Board of the Town of Sandy Creek will exit executive session at 8:35 pm.

Due to Covid-19 the next Water Advisory Committee meeting is to be determined.

The next regular monthly meeting of the Town Board will be held July 8th at 7 pm.

**On motion** by Ruth E. Scheppard, and seconded by Nola J. Gove, and carried unanimously, the meeting was adjourned at 8:36 pm.

Respectfully submitted,

Tammy L. Miller, RMC

Town Clerk