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: November 9, 2016 **Kind of Meeting:** Regular Meeting **Place:** Town Hall **Board Members Present:** Nancy

Nancy Ridgeway Nola J. Gove Dave Warner Ruth E. Scheppard John W. Wood, Jr.

Others Present:

Tammy L. Miller Brittany M. Washburn Margaret A. Kastler Allison J. Nelson, Esq. Michael C. Kastler Dustin J. Clark, P.E.@7:26 pm Shirley Rice Pat McCullough Norma Newman Jessica Godfrey Bruce Gibson left @ 8:03 pm William E. Eastman left @ 8:03 pm John Howland @ 7:16 pm Ronal Clark left @ 7:33 pm Wayne Miller Cecil & Lori Gushlaw Brian Muto left @ 8:03 pm

CALL TO ORDER:

Town Supervisor Nancy Ridgeway called the meeting to order at 7:00 pm with the Pledge of Allegiance. She opened the public hearing on the 2017 fire protection contracts and the 2017 preliminary budget at 7:01 pm. No one spoke. The hearing was closed at 7:02 pm and the regular monthly meeting was opened.

APPROVAL OF MINUTES: RESOLUTION 128-16

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

ADOPTED - 5 Ayes Ridgeway, Gove, Warner, Scheppard, Wood 0 No

Resolved that the Town Board of the Town of Sandy Creek approves the minutes of the October 5, 12, 13, and 19th meetings as written.

FINANCIAL REPORT:

The Town Board received a copy of the monthly financial report of the Supervisor tonight. It was filed in the Town Clerk's office and is available for public inspection.

REPORTS:

<u>Sole Assessor</u> - Rhonda Weigand's report is on file in the Town Clerk's office and available for public inspection. Supervisor Ridgeway reported that of the 355 Enhanced STAR renewal applications that were mailed out, 55 still need to be returned. The Assessor is busy now with data collection.

<u>Dog Control Officer</u>- Elisa Dunn's written report and mileage log for October were received and filed.

<u>Historian</u> – Charlene Cole's monthly report is on file in the Town Clerk's office and available for public inspection. The One Room School Book is available for a \$15 donation. Mrs. Cole is also taking orders for the new Oswego County Bicentennial Book. They are \$10 for a paperback and \$20 for a hardcover edition.

<u>Town Justice</u>- Judge Stoker's report for October has been received by the Town Supervisor.

<u>Legislator</u> – Margaret Kastler reported that the town should have ownership of 99 Weaver Road officially on November 10th. The fire school will be increasing their trainings. The Town of Sandy Creek has a 100% equalization rate again this year. Rifles have been purchased for the Oswego County Sheriff's Department. The Treasurer's office is scheduled to get a new computer program for tax collection.

<u>Library</u>- Minutes from the last meeting of the Board of Trustees have been received and filed in the Town Clerk's office. Director Jessica Godfrey presented the latest newsletter to the Town Board. It focuses on Thanksgiving and home-schooling. There are 10 to 15 home-school families that frequent the library. There is an issue with smoke alarms beeping. The old smoke detectors should be removed or have the batteries removed as the new smoke alarms are connected to the STAT security system.

<u>Planning Board</u> – Chairman Shirley Rice read the report from the November 1st meeting of the Sandy Creek Regional Planning Board.

<u>Highway</u> – Superintendent Mike Kastler read his report for both highway and water. <u>Water Advisory Committee</u> – Chairman Norma Newman reported that the minutes of their last meeting have been distributed to the Town Board and filed in the Town Clerk's office. The committee is working to move proposed Water District #3 forward. They are currently polling Upton Road to see how many owners want public water.

<u>Code Enforcement Officer</u> – John Howland's building permit report for October is on file in the Town Clerk's office.

<u>Town Clerk</u> – Tammy Miller reported that receipts and total disbursements for the month of October totaled \$3,829.00. This report was filed with Supervisor Ridgeway on November 1st and is on file in her office and available for public inspection. She has information on the 2016 Personnel Management School on November 14th or 18th and on the 2017 Training School and Annual Meeting of the Association of Towns in February for any Town official interested in attending.

RESOLUTION 129-16

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

| ADOPTED - | 5 Ayes | Ridgeway, Gove, | Warner, | Scheppard, | Wood |
|-----------|--------|-----------------|---------|------------|------|
| | 0 No | | | | |

Resolved that the Town Board of the Town of Sandy Creek approves corrections to the Standard Work Day and Reporting Resolution for Elected and Appointed Officials Continuation Form RS 2417-B.

PUBLIC COMMENT – **Ronal Clark** of **Kiblin Shores Circle** expressed his concern that his EDU number in Water District #1 is not correct and/or fair. The Clarks lost their home in May of 2015 to fire. They are staying in a camping trailer on the property that was previously there. It is connected to a septic system and is now skirted. He is also displeased that his enhanced STAR exemption was removed after the home was destroyed. He stated that the Sole Assessor did lower the assessment and code the parcel as vacant. Supervisor Ridgeway and Water Superintendent Kastler responded to these concerns. Councilman Scheppard stated that property owners have some responsibility to communicate with the town after events like this occur. Water Advisory Committee Chairman Norma Newman stressed that property owners need to inform the proper officials when changes occur. March 1st of each year is NYS's taxable status date that the towns must comply with. Mr. Clark left the meeting at 7:33 pm.

OLD BUSINESS – The manure law was discussed at length. Bruce Gibson expressed some of the farmers' concerns with the wording of the draft local law section by section. They believe the aim of the law should be to "review" and not "regulate" and that CAFO should be added as the law is not intended for small farms. They believe that "approval" should not be part of the law as the Town Board's intent was that the law be for informational purposes only. Brian Muto also spoke. He stated that farmers' nutrient management plans can change daily based on the weather. Crop rotation plans can change as well. Attorney Nelson responded. There must be an official public hearing before any local law can be adopted. The farmers do not want any confrontation with the town officials, only a good business relationship. It was stated that according to Ag & Markets, the town may not have the expertise to deal with this law as written. The farmers work with certified CAFO advisors. Some of the burdens the town may add with this law may be in conflict with their right to farm. If the DEC or EPA finds a farmer out of compliance, they will not be farming. It was questioned whether to remove nutrient management plans from the law or not. A nutrient management plan is a large book. It was suggested that the town may only need to see Schedule D, an executive summary that is updated on an annual basis. It was agreed that more work needs to be done before a public hearing can be set. Bruce, Brian, and Bill Eastman left the meeting at 8:03 pm.

Councilman Warner met with Surveyor Merritt J. Burd. The corner points have been marked at the Wigwam Road boat launch property.

REPORTS: continued

<u>Engineers</u> – Dustin J. Clark, P.E. was present to give an update on water district progress. In Water District #1 contract #6 construction of the water main is complete. NCC's payment application is in the bill folder for approval tonight. With the remaining project money B&L is suggesting Change Order No. 2 for some additional paving around the well site and metering station and paving and fencing at the tank site. In Water District #2 the USDA-RD loan has closed. A monitoring visit for CDBG was held on October 27th. Some close-out items must be completed including a public hearing to be held December 14th. For Water District #3 the Town of Richland is meeting and scheduled to vote on the engineering amendment tonight. The project area must be refined so that everyone is comfortable.

RESOLUTION 130-16

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

ADOPTED - 5 Ayes Ridgeway, Gove, Warner, Scheppard, Wood 0 No

Resolved that the Town Board of the Town of Sandy Creek approves Change Order No. 2 of Contract No. 6 of the Eastern Shore Water System.

An issue has been identified and some corrections need to be made to town financial records regarding customer accounts near the master meter station on Rainbow Shores Road both retroactively and moving forward. Mr. Clark spoke about the timeline for Water District #3 formation. Because it did not score high enough on the last funding application and 6 to 7 months processing time is usually necessary, it may now be 2020 or 2021 before public water is available in the proposed areas.

NEW BUSINESS – The 2017 budget is done and the tax rate will remain the same as in 2016 at \$6.17 per thousand of assessed value.

RESOLUTION 131-16

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

ADOPTED - 5 Ayes Ridgeway, Scheppard, Wood, Gove, Warner 0 No

Resolved that the Town Board of the Town of Sandy Creek approves the 2017 Budget of the Town of Sandy Creek.

RESOLUTION 132-16

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

Resolved that the Town Board of the Town of Sandy Creek approves the Williamson Law Book Municipal Accounting Software Support Contract for November 1, 2016 – October 31, 2017.

TRANSFER OF FUNDS RESOLUTION 133-16

On motion by Ruth E. Scheppard, seconded by John W. Wood, Jr., 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 authorizes the following transfers of funds:

| From A1110.4 Court Contractual to A1110.2 Court Equipment | \$ 2.00 |
|---|---------------|
| A1990.4 Contingent A1420.4 Legal | 510.00 |
| A1990.4 Contingent A3310.2 Traffic Control | 68.00 |
| A5010.2 Highwy Admin Eq A5010.4 Highwy Admin Contr | actual 7.00 |
| DB5110.2 Gen Repairs Equip DB5110.4 Gen Repairs Contrac | tual 1,861.00 |
| DB5110.1 Personal Services DB9060.8 Health Insurance | 6,830.00 |
| SW1-1990.4 Contingent SW1-8660.4 Acquisition of Prope | rty 7,651.00 |

PAY BILLS

RESOLUTION 134-16

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

| ADOPTED - | 5 Ayes | Ridgeway, Gove, | Warner, | Scheppard, | Wood |
|-----------|--------|-----------------|---------|------------|------|
| | 0 No | | | | |

Resolved that the bills be paid on Abstract #20 in the following amounts:

| General Fund | \$ | 270.84 |
|---------------------|----|------------------------|
| Trust & Agency | \$ | 8,816.24 |
| And on Abstract #21 | in | the following amounts: |
| General Fund | \$ | 20,765.15 |
| Trust & Agency | \$ | 6,181.86 |
| Highway Fund | \$ | 24,563.46 |
| Water District #1-H | \$ | 23,545.80 |
| Water District#1-SW | \$ | 3,207.22 |
| Water District#2-SW | \$ | 12,409.40 |
| | | |

The next meeting of the Water Advisory Committee is scheduled for November 28th at 6 pm. The next regular meeting of the Town Board will be held on December 14th at 7 pm.

RESOLUTION 135-16

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

ADOPTED – 5 Ayes 0 No Ridgeway, Gove, Warner, Scheppard, Wood

Resolved that the Town Board of the Town of Sandy Creek will hold a public hearing on Wednesday, December 14, 2016 at 7 PM at the Sandy Creek Town Hall for the purpose of hearing public comments on the Town of Sandy Creek's current Community Development Block Grant (CDBG) project: CDBG project 1023PW34-13, Water District No. 2, \$600,000 grant award.

RESOLUTION 136-16

On motion made by Nola J. Gove, seconded by Ruth E. Scheppard, the following resolution was **ADOPTED** – 5 Ayes 0 No 0 No **Resolved** that the Town Board of the Town of Sandy Creek will enter executive session at 8:32 pm to discuss collective negotiations of the Teamsters Local #317 contract. Attorney Allison Nelson was invited in. Everyone else left the meeting, except Town Clerk Miller and Deputy Washburn waited in their office for the open meeting to resume.

RESOLUTION 137-16

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

ADOPTED – 5 Ayes Ridgeway, Gove, Warner, Scheppard, Wood 0 No

Resolved that the Town Board of the Town of Sandy Creek will exit executive session at 9:17 pm.

The Town Board further discussed the proposed manure local law.

On motion by Nancy Ridgeway, seconded by Dave Warner, and carried unanimously, the meeting was adjourned at 9:28 pm.

Respectfully submitted,

Tammy L. Miller, RMC Town Clerk