

MINUTES OF THE MEETING OF THE TOWN BOARD
TOWN OF SANDYCREEK
1992 HARWOOD DRIVE, POBOX 52
SANDYCREEK, NEW YORK 13145-0052

Date: January 9, 2019

Kind of Meeting: Organizational & Regular Meeting

Place: Town Hall

Board Members Present: Ruth E. Scheppard
John Wood
Nola J. Gove

Others Present:
Michael C. Kastler
Shirley Rice
Rebekah Prosachik, Esq.
Pat McCullough
Brittany M. Washburn
Tammy L. Miller
Anthony Young, P.E.
Stanley Miller
Wayne Miller
Norma Newman
Patricia McDougal
Jessica Godfrey
Peggy Rice- left @ 8 pm
Danielle Babcock- left @ 8 pm
David Klein-left @ 7:46 pm
James Goult
John Howland-arrived @ 7:28 pm

Absent: Nancy Ridgeway
Dave Warner

CALL TO ORDER:

Deputy Town Supervisor Ruth E. Scheppard called the meeting to order at 7:00 pm with the Pledge of Allegiance. She stated that there were no town elections in November of 2018. Therefore, renewing the Official Undertaking for 2019 is not necessary. She read the list of appointments to be made.

RESOLUTION 01-19

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

ADOPTED – 3 Ayes Scheppard, Gove, Wood

0 No

2 Absent Ridgeway, Warner

RESOLVED that the Town Board of the Town of Sandy Creek makes the following appointments with terms to expire on December 31, 2019, unless otherwise stated:

Annie Porter Ainsworth Memorial Library Trustee: James Horth- 12/31/2023

Water Advisory Committee Member: Roy E. Narish- 12/31/2023

Constables: Robert E. Dalton, Constable-in-charge
Charles T. Anna
Mark Helt

Edward J. Witham

Michael D. Wood

Rebekah Prosachik, Esq.

Charlene Cole

John Howland

Anne Derr

Official Newspaper: *Watertown Daily Times*

Attorney-for-the-Town:

Town Historian:

Code Enforcement Officer:

Dog Control Officer:

Official Newspaper:

The Town Board could not vote on the Official Bank at this meeting as Deputy Supervisor Scheppard must abstain due to her employment by PathFinder Bank and three affirmative votes are necessary.

RESOLUTION 02-19

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

ADOPTED – 3 Ayes Scheppard, Gove, Wood

0 No

2 Absent Ridgeway, Warner

Resolved that the Town of Sandy Creek accepts the state or county bid for gas, oil, and fuel; accepts the state or county bid for road building materials; establishes the salaries of the elected and appointed officials of the Town of Sandy Creek as put forth in the adopted budget for the year 2019; sets the mileage rate for 2019 at 58¢ per mile; approves town officials attending the Association of Towns meeting in New York City in February and other respective schools; and that regular town board meetings will be held at 7:00 PM on the second Wednesday of each month at the Town Hall, 1992 Harwood Drive.

APPROVAL OF MINUTES:

RESOLUTION 03-19

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

ADOPTED - 3 Ayes Scheppard, Gove, Wood

0 No

2 Absent Ridgeway, Warner

Resolved that the minutes of the December 12th and 27th meetings are approved as written.

FINANCIAL REPORT

RESOLUTION 04-19

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

ADOPTED - 3 Ayes Scheppard, Gove, Wood

0 No

2 Absent Ridgeway, Warner

Resolved that the Town Board of the Town of Sandy Creek approves the monthly financial report of the Supervisor.

It is on file in the Town Clerk's office.

REPORTS:

Highway/Water Superintendent – Michael C. Kastler read his highway report. The water clerk is still collecting water payments from the November 2018 billing. The \$50 late fee was added January 1st. Approximately 20 title searches are back for the preparation of easements in Water Service Area #3.

Assessor- Deputy Supervisor Scheppard read Rhonda Weigand's report and it has been filed in the Town Clerk's office.

Dog Control Officer – Anne Derr prepared a report for the Town Board and it was filed in the Town Clerk's office.

Historian – Charlene Cole's monthly report was e-mailed to the Town Board and is on file in the Town Clerk's office. Several Blount books were sold last year and are still available at the Town Hall.

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

Legislator – Margaret Kastler was excused this evening.

Library– Library Director Jessica Godfrey gave copies of the library's monthly newsletter to the town board members. The Annie P. Ainsworth Memorial Library (Sandy Creek) and the Cogswell Free Library (Orwell) are going on the school ballot in 2019 to increase library funding. The current annual funding from the school tax bill is \$35,000 for the Annie P. Ainsworth Memorial Library and \$15,000 for the Cogswell Free Library for

a current total of \$50,000. The increase in funding is proposed by the libraries' Boards of Trustees as follows: Annie P. Ainsworth Memorial Library- \$75,000 (a \$40,000 increase) and the Cogswell Free Library- \$19,000 (a \$4,000 increase) making the proposed total \$94,000. Brochures explaining the request are being prepared for the public.

NOCA – The final quarterly report from 2018 for Northern Oswego County Ambulance has not been received yet this month.

Planning Board –Chairman Shirley Rice read the report from the Sandy Creek Regional Planning Board's meeting on January 2nd. A decision on the Wallis campground site plan was tabled and conditions will be discussed at the February planning board meeting.

Water Advisory Committee- There was no meeting in December 2018. The next meeting is scheduled for January 28th at 6 pm.

Code Enforcement Officer – John Howland's report for December and his annual report for 2018 is on file in the Town Clerk's office.

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of December totaled \$1,802.75. This report is on file in her office and available for public inspection. Mrs. Miller will finish the Town Clerk's 2018 Annual Report in the next couple of days. Over \$500,000 has been collected in taxes in the first six working days of January. The Town Clerk's, Tax Collector's, and Water Clerk's books are ready for annual audit by the Town Board. Proof of the Town Justice audits must be sent to the Office of Court Administration as soon as possible. All audits are due by January 20th each year. Information on the 2019 Training School and Annual Meeting of the Association of Towns and training for assessors, appraisers and engineers is available in the Town Clerk's office. The NYS Tug Hill Commission 30th Annual Local Government Conference will take place on Thursday, March 28th at JCC in Watertown.

David Klein, Senior Field Representative from The Nature Conservancy was present to discuss the next steps for the Town of Sandy Creek North Sandy Pond Shoreline Restoration Project. He explained the history of the project. In December the town was awarded \$320,000 to use nature-based methods and materials to restore the shoreline of North Sandy Pond by reducing the size of a sandy shoal that partially blocks water exchange between Lake Ontario and North Sandy Pond and restoring a barrier beach. The town must match \$140,000 of which The Nature Conservancy will contribute \$70,000 and the Sandy Pond Channel Maintenance Association has promised \$30,000 toward the project leaving the town with an expense of \$40,000. The town and the Department of Environmental Conservation must develop a contract for this project. A Memorandum of Understanding (MOU) has been drafted between the Town of Sandy Creek and The Nature Conservancy (TNC) which states that TNC will assist the town with the contract including hiring contractors to perform the work. The town must designate a project manager or principal contact. The Town Board will make all final decisions including project design. The assistance will be provided to the town free-of-charge. Mr. Klein asked the Town Board to consider approving the MOU at this meeting.

RESOLUTION 05-19

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

ADOPTED - 3 Ayes Scheppard, Gove, Wood

0 No

2 Absent Ridgeway, Warner

Resolved that the Town Board of the Town of Sandy Creek approves the Memorandum of Understanding with The Nature Conservancy and appoints Dave Warner as the Principal Contact or Project Manager.

Engineers – Anthony Young, P.E. of Barton & Loguidice was present to update the Town Board on current projects. The sewer project preliminary engineering report will be developed over the next several months. Profiles of the road crossings for NYS DOT submission have been completed for Water Service Area #3. Wetland delineation and archeological study field work is complete. Throughout the spring and summer approximately 300 easements need to be completed. The BAN will be renewed on January 25th and will be due

in July. An agreement with the NYS EFC DWSRF for short term interest-free financing should be ready by April or May.

PUBLIC COMMENT: Joe Bocsor of US Rt 11 spoke because he owns three parcels on US Rt 11 and two of the three are in Water Service Area #3. He was unaware of the public water project and wants water at his house only. That particular parcel is not in the district. He gave the Town Clerk his phone number and Superintendent Kastler will research the map and contact Mr. Bocsor to talk about any options he may have. **Stanley Miller of Salisbury Street** was also present to discuss the water project. He owns three parcels in the district on Miller Road and does not want public water. He stated that he was representing nine property owners on Miller Road. All but one are upset about the water project and will not be installing public water there. Superintendent Kastler stated that at the time the map was finalized everyone except Mr. Miller wanted water. Attorney Prosachik explained that the district has been formed and the map cannot be changed at this point. The assignment of EDU numbers was discussed. **James Goult of Miller Road** also does not want water and is upset that the EDU charge appeared on the tax bill before the project is complete.

OLD BUSINESS

RESOLUTION 06-19

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

ADOPTED - 3 Ayes Scheppard, Gove, Wood

0 No

2 Absent Ridgeway, Warner

Resolved that the Town Board of the Town of Sandy Creek will hold a Public Hearing at 7:00 p.m. or as soon thereafter as possible, on February 13, 2019 at the Sandy Creek Town Hall, 1992 Harwood Drive, Sandy Creek, New York, relative to the adoption of proposed Local Law 1 of 2019 – A local law providing for the administration and enforcement of the ICC, State Fire Prevention and Building Code in the Town of Sandy Creek.

Sexual harassment training was discussed and will be completed by all town employees, officials, and volunteers in the next few months.

RESOLUTION 07-19

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

ADOPTED - 3 Ayes Scheppard, Gove, Wood

0 No

2 Absent Ridgeway, Warner

Resolved that the Town Board of the Town of Sandy Creek approves the following **AGREEMENT OF MUNICIPAL COOPERATION:**

THIS AGREEMENT of municipal cooperation, made this ___ day of _____ 2019, by and between the TOWN BOARD OF THE TOWN OF SANDY CREEK, Oswego County, New York, hereinafter referred to as “Sandy Creek”, SANDY CREEK LACONA JOINT WATER WORKS, Oswego County, New York, hereinafter referred to as “Joint Water Works” all of the parties hereto sometimes collectively or individually referred to hereinafter as “Town”, “Village”, “Municipality” or “Municipalities”.

WITNESSETH:

WHEREAS, this Agreement is made pursuant to General Municipal Law, Article 5-G; and

WHEREAS, all municipalities, including the Town of Sandy Creek and Sandy Creek Lacona Joint Water Works have the power and authority to contract for the purpose of buying, leasing and maintaining machinery and equipment, with other municipalities, and;

WHEREAS, the Town Sandy Creek owns a Pickup Truck for its water department and the Sandy Creek Lacona Joint Water Works has contracted with the Town of Sandy Creek’s water operator to help with daily maintenance, which will save taxpayers’ monies, and;

WHEREAS, it is hereby determined that it will be in the best interests of the Town of Sandy Creek to allow the Sandy Creek Lacona Joint Water Works to contract for the use of the water truck;
NOW THEREFORE, it is hereby agreed as follows:

1. The undersigned municipalities have caused this Agreement to be executed and to bind themselves to the terms of this contract subject to the following terms and conditions:
 - a. The Town of Sandy Creek agrees to allow the Sandy Creek Lacona Joint Water Works to contract for the use of the Pickup Truck on an as needed basis and expected to be for approximately one hour per day.
 1. The water truck shall at all times be owned by the Town of Sandy Creek. The water superintendent of the Town of Sandy Creek shall determine when it is used in the respective Municipalities pursuant to this Agreement in the normal operation of Water Department activities. The equipment is to be used only within the Sandy Creek Lacona Joint Water Works when the Joint Water Works are using the truck.
 2. The Water Superintendent of the Town of Sandy Creek shall keep track of the hours and mileage that the truck is used in the Joint Water Works. The Town of Sandy Creek shall be reimbursed by the Sandy Creek Lacona Joint Water Works based on the New York State rate for said equipment.
2. Records shall be maintained by each Municipality setting forth all usage of the water truck.
3. If any provision of this Agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid and operative, or if it cannot be so modified, then severed, and the remainder of the Agreement shall continue in full force and effect as if the contract had been signed with the invalid portion so modified or eliminated.
4. This Agreement shall expire five years from the date of its signing.

TRANSFER OF FUNDS

RESOLUTION 8-19

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

ADOPTED - 3 Ayes Scheppard, Wood, Gove
 0 No
 2 Absent Ridgeway, Warner

Resolved that the Town Board of the Town of Sandy Creek authorizes the following transfers of funds in 2018 budget:

FROM Line #	TO Line #	\$ Amount
From A5010.4	To A3310.2	\$ 132.00
From A1990.4	To A1640.4	\$2,930.00
From A1990.4	To A1650.4	\$337.00
From A1990.4	To A1910.4	\$ 108.00

From A1990.4	To A1680.4	\$395.00
From DA5142.1	ToDA5142.4	\$8,796.00
FromDA5130.4	ToDA5130.2	\$269.00
FromDA5142.1	ToDA5142.4	\$3,977.00
FromDB5140.1	To DB5110.1	\$1,496.00
FromSW1-1990.4	ToSW1-8310.4	\$315.00
FromSW1-1990.4	ToSW1-8340.4	\$449.00
From SW1-2140	To SW1-8320.4	\$ 8,700.00
From SW1-1990.4	To SW1-8320.4	\$ 788.00
From SW1-1990.4	To SW1-8310.4	\$ 784.00
From SW1-1990.4	To SW1-8340.1	\$ 3,922.00
From SW1-1990.4	To SW1-8340.4	\$ 548.00
From SW1-8397.4	To SW1-8397.2	\$ 2,216.00
From SW1-1990.4	To SW1-9060.8	\$ 287.00
From SW2-2140	To SW2-8320.4	\$ 342.00
From SW2-1990.4	To SW2-8340.4	\$ 113.00
From SW2-1990.4	To SW2-8310.4	\$ 80.00
From SW2-2140	To SW2-8320.4	\$5.00
From SW2-8340.1	To SW2-8340.4	\$136.00

APPROVAL OF BILLS

RESOLUTION 9-19

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

ADOPTED - 3Ayes Scheppard, Gove, Wood

0 No

2 Absent Ridgeway, Warner

Resolved that the bills be paid on Abstract #1 in the following amounts:

General Fund \$ 11,588.42
Trust & Agency \$ 9,773.74
Highway Fund \$ 14,923.23
Water District #1-SW \$ 2,788.41

Water District #2-SW \$ 284.74

Water District #3- H3 \$ 14,576.25

Town Board members were provided with a copy of the 2018 Lacona Fire Department's Annual Fire Chief's Report.

The next regular monthly meeting will be held February 13th at 7 pm

On motion by Ruth E. Scheppard., and seconded by Nola J. Gove, and carried unanimously, the meeting was adjourned at 8:31 pm.

Respectfully submitted,

Tammy L. Miller, RMC
Town Clerk