

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: January 11, 2017

Kind of Meeting: Organizational & Regular Meeting

Place: Town Hall

Board Members Present:	Nancy Ridgeway	Others Present:
	Ruth E. Scheppard	Tammy Miller
	Nola J. Gove	Michael C. Kastler
	John Wood, Jr.	Allison J. Nelson, Esq.
		Brittany M. Washburn
		Shirley Rice
		Pat McCullough
		Wayne Miller
		Jessica Godfrey
		Peggy Rice
		Lori & Cecil Gushlaw
		Bruce Gibson
		Brian Muto
		John Howland @ 7:35 pm

Absent: Dave Warner

CALL TO ORDER:

Town Supervisor Nancy Ridgeway called the meeting to order at 7:02 pm with the Pledge of Allegiance. The organizational meeting was opened at 7:03 pm. Deputy Supervisor Ruth Scheppard read the Official Undertaking and list of appointments to be made.

RESOLUTION 01-17

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

ADOPTED – 4 Ayes	Ridgeway, Scheppard, Gove, Wood
0 No	
1 Absent	Warner

Resolved that the Town of Sandy Creek approves the following Official Undertaking:

TOWN OF SANDY CREEK
OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, Jonn T. Stoker, of the Town of Sandy Creek, County of Oswego, New York, has been elected to the office of Town Justice of the Town of Sandy Creek; and

NOW, THEREFORE, I do hereby undertake with the Town of Sandy Creek that I will faithfully discharge the duties of my office, and will promptly account for all monies or property received as a Town Officer, in accordance with the law; and

The Town does and shall maintain insurance coverage, presently with National Grange Mutual, in the sum of \$100,000 plus an additional \$50,000 for the Supervisor and \$100,000 for the Town Clerk/Tax Collector to indemnify against losses through the failure of the officers, clerks and employees covered thereunder to faithfully perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

AND Resolved that the Town Board of the Town of Sandy Creek makes the following appointments with terms to expire on December 31, 2017, unless otherwise stated:

Constables:	Robert E. Dalton, Constable-in-charge Charles T. Anna Mark Helt Edward J. Witham Michael D. Wood
Attorney-for-the-Town:	Allison J. Nelson, Esq.
Town Historian:	Charlene Cole
Code Enforcement Officer:	John Howland
Dog Control Officer:	Elisa Dunn
Deputy Dog Control Officer:	Anne Derr
Board of Appeals member	Andrew H. Ridgeway- term expires 12/31/2021
Official Newspaper:	<i>Watertown Daily Times</i>

RESOLUTION 02-17

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

ADOPTED – 3 Ayes Ridgeway, Gove, Wood
 0 No
 1 Absent Warner
 1 Abstain Scheppard

Resolved that the Town of Sandy Creek appoints PathFinder Bank as the Official Bank of the Town of Sandy Creek.

RESOLUTION 03-17

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

ADOPTED – 4 Ayes Ridgeway, Scheppard, Gove, Wood
 0 No
 1 Absent 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 2017; sets the mileage rate for 2017 at 53.5¢ 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 except for August when it will be held on August 16th due to the Oswego County Fair.

The organizational meeting was closed to open the regular monthly meeting at 7:06 pm.

APPROVAL OF MINUTES:

RESOLUTION 04-17

On motion by Ruth Scheppard, seconded by Nola J. Gove, the following resolution was ADOPTED - 4 Ayes Ridgeway, Scheppard, Gove, Wood

0 No

1 Absent Warner

Resolved that the minutes of the December 14th and 28th meetings are approved as written.

FINANCIAL REPORT

The December monthly financial report of the Supervisor was filed and made available to the Town Board members today.

REPORTS:

Assessor- Rhonda Weigand's report has been filed in the Town Clerk's office.

Supervisor Ridgeway summarized it for the public.

Dog Control Officer – Elisa Dunn was absent tonight. Her report was filed in the office of the Town Clerk.

Historian – Charlene Cole's monthly report is on file in the Town Clerk's office.

Supervisor Ridgeway summarized it for the public.

Town Justice- The monthly report of Town Justices have been received by the Town Supervisor. Judge Stoker applied for a JCAP grant. The town should be receiving the money very soon.

Legislator – Margaret Kastler was excused this evening.

Library – Library Director Jessica Godfrey reported that a wine tasting event will be held on February 11th from 6 to 8 pm. Advanced tickets are available at a discount. She also gave a copy of the January event flyer to the board. The library will be hosting a Royal Tea Party on January 28th at 11 am. A copy of the yearly statistical report was given to the Town Board. Over 10,000 people visited the library in 2016 with over 13,000 items checked out and approximately 540 e-books downloaded. The patrons are still using more printed materials in Sandy Creek than electronic ones. Over 3,000 people used the library's computers and over 3,600 used the Wi-Fi connection. Ms. Godfrey requested new flooring in the upstairs bathroom at the library. The white flooring is stained as shown in photos she presented to the board.

NOCA – The quarterly report from Northern Oswego County Ambulance was received and filed in the Town Clerk's office.

Planning Board – Chairman Shirley Rice read the report from the Sandy Creek Regional Planning Board's meeting on January 5th.

Highway/Water Superintendent – Michael C. Kastler read his highway and water reports. The water clerk is still collecting late water payments from the November billing. She drafted a letter to be sent to potential outside water users on the water main on St Rt 3 in Water District #1. This is contingent on the Town of Richland's approval of outside

users. Superintendent Kastler is interested in installing an automatic water salesman in the garage at 99 Weaver Road. The garage would need to be renovated and this project is also contingent on approval from the Town of Richland. We are in the warranty period in Water District #1 and #2. One water customer was arrested for theft of services for turning the curb stop on after the town had shut it off and removing their meter. There will be a joint board meeting with the Town of Richland at the Sandy Creek Town Hall on January 24th at 7 pm. The next meeting of our Water Advisory Committee will be on January 30th at 6 pm. The map of proposed Water District #3 will be reevaluated.

Water Advisory Committee- There was no meeting in December 2016.

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of December totaled \$1,656.75. The Town Clerk’s 2016 Annual Report shows total receipts and disbursements of \$39,234.03. Also 59 accessible parking permits were issued to Town of Sandy Creek residents in 2016. These reports are on file in her office and are available for public inspection. Information on the 2017 Training School and Annual Meeting of the Association of Towns is available in the Town Clerk’s office. The standardized notice form for renewal of an on-premises alcoholic beverage license was received from Two Clubs, Inc. doing business as the Elms Golf Club.

Town Supervisor Nancy Ridgeway received information from Dave Turner, Director of Oswego County Department of Community Development, Tourism and Planning regarding the NYS Municipal Consolidation and Efficiency Competition.

RESOLUTION 05-17

On motion by John W. Wood, Jr, seconded by Nancy Ridgeway, the following resolution was

ADOPTED - 4 Ayes Ridgeway, Scheppard, Gove, Wood
 0 No
 1 Absent Warner

Resolved that the Town Board of the Town of Sandy Creek will send a letter of support for the NYS Municipal Consolidation and Efficiency Competition to Kevin Gardner, Chairman of the Oswego County Legislature.

PUBLIC COMMENT: Cecil and Lori Gushlaw stated that they have an approved site plan dated September 26, 2014. Their neighbor has filed a complaint against their deer processing business. They have had many issues with their neighbor, Mr. Domick who has been cited for junk and claims to also have a business there. CEO Howland stated that Mr. Domick must be in compliance by January 17th or will be issued a court appearance ticket. The Town Board has the option of holding an administrative hearing regarding the junk law violation. It would be best to do that in the spring.

OLD BUSINESS:

The draft manure law was discussed. It will be changed again and sent back to NYS Agriculture and Markets for review. Supervisor Ridgeway has some contacts to make regarding the possibility of leasing water tank space for cell site installations at the Water District #1 water tower.

RESOLUTION 06-17

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Scheppard
 0 No
 1 Absent Warner

RESOLVED that the Town Board of the Town of Sandy Creek adopts the following:
Town of Sandy Creek Section 504 (ADA Compliance) Grievance Procedures

Background: The Town of Sandy Creek has received Community Development Block Grant Small Cities funds from the U.S. Department of Housing and Urban Development. Section 504 of the Rehabilitation Act of 1973 as amended, prohibits discrimination on the basis of disability in programs and activities conducted by the U. S. Department of Housing and Urban Development (HUD) or in communities that receive financial assistance from HUD. This includes the Community Development Block Grant Small Cities Program. The Act mandates that no qualified individual shall, solely by reason of his or her handicap, be excluded from program participation, including employment, be denied program benefits, or be subjected to discrimination. The Americans with Disabilities Act of 1990 (ADA) establishes provisions for assuring equality of opportunity, full participation, independent living and self-sufficiency of disabled persons relative to employment, benefits and services, accommodations, commercial facilities and multi-family housing.

Section 504 Policy/Compliance: Part 8 of Title 24 of the Code of Federal Regulations (24CFR) requires the adoption and notice/publication of ADA grievance procedures. It is the policy of the Town of Sandy Creek not to discriminate on the basis of disability. The Sandy Creek Town Board has adopted a grievance procedure providing for prompt and equitable resolutions of complaints regarding allegations of actions prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. To insure compliance with Section 504, the Town has appointed Tammy L. Miller as the Section 504 Coordinator. The Town’s Section 504 Coordinator’s office is located at the Sandy Creek Town Hall, 1992 Harwood Drive, P.O. Box 52, Sandy Creek, NY 13145-0052. The Coordinator can be reached at (315) 387-5456 X6.

The following grievance procedure is established to meet the requirements of Section 504 of the Rehabilitation Act as amended and the Americans with Disabilities Act of 1990 (ADA).

According to these laws, the Town of Sandy Creek, New York, certifies that all citizens shall have the right to submit a grievance on the basis of disability policies or practices regarding employment, benefits and services, activities, facilities, or benefits provided by the Town of Sandy Creek, New York.

When filing a grievance, citizens must provide detailed information to allow an investigation to occur. The grievance must be in writing and must include the date, location, and description of the problem along with the name, address, and telephone

number of the complainant. The complaint must state the problem or action alleged to be discriminatory and the solution sought. The Town of Sandy Creek, upon request, will make appropriate arrangements to ensure that disabled persons are provided alternative means of filing complaints such as, but not limited to, personal interviews, taped recordings, interpreters for the deaf, or assuring a barrier-free location for the proceedings. The Section 504 Coordinator will be responsible for such arrangements. The complaint should be submitted by the complainant or his/her designee as soon as possible, but no later than 60 days after the alleged violation. Complaints must be signed and sent to:

Tammy L. Miller, Section 504 Coordinator
Town of Sandy Creek
1992 Harwood Drive
P.O. Box 52
Sandy Creek, New York 13145-0052
315-387-5456 X6

The Section 504 Coordinator (or his/her designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of the Town of Sandy Creek relating to such grievances.

The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing. Where appropriate, the response shall be in a format accessible to the complainant.

If the response by the Section 504 Coordinator does not satisfactorily resolve the issue, the complainant or his/her designee may appeal the decision of the Section 504 Coordinator.

Appeals must be made in writing to the Town of Sandy Creek's Town Board within 15 days of receiving the Section 504 Coordinator's decision. The Town Board shall issue a written decision in response to the appeal no later than 30 days after its filing. Where appropriate, the response shall be in a format accessible to the complainant.

The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the U.S. Department of Health and Human Services, Office for Civil Rights.

It is against the law for the Town of Sandy Creek to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

NEW BUSINESS:

The Sandy Pond Sportsman's Association committee for the 2017 fishing grant is interested in doing a cartoon type map of the Sandy Pond area. The Town administers

the money for this grant. The school is interested in purchasing sand and salt from the town. A fair price for the sand needs to be established and an inter-municipal agreement should be executed. The town should have an agreement with the library for funding purposes in the future. The draft outside water user agreement for the Miles/Church Mouse property with Peggy Rice was discussed.

REPORTS (continued):

Code Enforcement Officer – John Howland’s report for December and his annual report for 2016 is on file in the Town Clerk’s office. He presented a revised fee schedule that he drafted and explained the changes.

RESOLUTION 07-17

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Scheppard
 0 No
 1 Absent Warner

RESOLVED that the Town Board of the Town of Sandy Creek adopts the revised fee schedule for Code Enforcement dated January 2017.

APPROVAL OF BILLS

RESOLUTION 08-17

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

ADOPTED - 4 Ayes Ridgeway, Scheppard, Gove, Wood
 0 No
 1 Absent Warner

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

General Fund	\$ 12,755.14
Trust & Agency	\$ 10,845.70
Highway Fund	\$ 22,620.25
Water District #1-SW	\$ 2,205.58
Water District #2-SW	\$ 441.33

On motion by Nola J. Gove, seconded by John W. Wood, Jr. and carried unanimously, the meeting was adjourned at 8:11 pm.

The next regular monthly meeting will be held February 8th at 7 pm.

Respectfully submitted,

Tammy L. Miller, RMC
Town Clerk