**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:** March 11, 2020

**Kind of Meeting:** Regular Meeting

**Place:** Town Hall

**Board Members Present:** Ruth E Scheppard  **Others Present:**

 John W. Wood, Jr. Rebekah Prosachik, Esq.

 Dave Warner Tammy L. Miller, RMC

 Nola J. Gove Michael C. Kastler

 Nancy Ridgeway Dustin Clark, P.E. Michael G. Yerdon

 Shirley Rice

 Sybil Cummins

 Wayne Miller

 John Howland @ 7:12 pm

 Norma Newman

 Jessica Godfrey

 Eric G. Pappa

 Jennifer Pappa-left @ 7:08 pm Joseph Bocsor

**CALL TO ORDER:**

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

**Jennifer Pappa** of **Orwell** asked to speak to the Town Board and audience. She explained that a new military mom group has been formed in our area. They are Blue Star moms (mothers with children in active military service) and two of them have sons that are currently deployed. The group is interested in starting a Hometown Heroes banner project in the two villages in the Town of Sandy Creek. They have permission from both villages and National Grid to use the 172 lighted utility poles in the villages. The group will pay the labor cost of putting the banners up and taking them down. The program should be popular as all those that have served in the fire service, law enforcement, and the military will be eligible to have their photo and information on a banner. Individuals may purchase a 28 X 60 banner for approximately $200 with pole brackets included. The banners will cost between $100 and $150 each. Weather resistant material may cost a little more, but may be necessary in our climate. The purchaser will get to keep the banner after its display. The group is developing a trifold pamphlet for this program and the VFW Auxiliary plans to help sponsor this project. Most members of this group are now joining the Cable Trail VFW Auxiliary. Fundraisers will be planned and donations accepted. One free banner will be available and the group will decide the best use for this banner. Mrs. Pappa left the meeting at 7:08 pm.

**APPROVAL OF MINUTES:**

**RESOLUTION 29-20**

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 minutes of the February 12th 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. All senior citizen low income exemption renewals were received on time. All but one agricultural exemption renewal was received on time. Ms. Trudell is conducting a sales analysis of all waterfront properties over the past two years as many are complaining about their assessment. Appointments are encouraged to speak with the Assessor about property data and assessments.

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 agreed to be a distribution point for sandbags from the county. Approximately 10,000 sand bags are coming, but we do not know when at this point. All water bills from November have been paid. Water Operator Pappa has been working on easements for Water District #3. The list is getting smaller, but there are still more to finalize. Superintendent Kastler prepared a report comparing the Cazenovia building and the current town barn issues for the Town Board to review. He encouraged further discussion on the highway department’s building renovations and/or the purchase of a new building.

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

Legislator – Michael G. Yerdon reported that Governor Cuomo proposed a budget modification act in which he intends to change many NYS laws regarding renewable energy. He wants to remove local regulations, a step toward taking away NYS municipalities’ home rule authority. The Town Board discussed a sample resolution from the Town of Redfield.

**RESOLUTION 30-20 - RESOLUTION OPPOSING THE GOVERNOR'S PROPOSED "ACCELERATED RENEWABLE ENERGY GROWTH AND COIVMUNITY BENEFIT ACT"**

**WHEREAS**, Governor Cuomo has proposed the "Accelerated Renewable Energy Growth and Community Benefit Act," which, despite its name, would negatively impact renewable energy host communities by removing local home rule rights and controls, and by fast-tracking wind and solar projects that could potentially harm local economies and environments; and

**WHEREAS**, the proposed Act was added to the State Budget proposal only after budget hearings were completed, giving State Legislators insufficient time to examine the proposal and identify its negative consequences; and

**WHEREAS**, although the inclusion of renewable energy sources within the State's energy plan, and the streamlining of bureaucratic processes are commendable initiatives, the proposed Act goes too far by essentially gutting Article 10 and empowering the State to force medium and large wind and solar projects into local communities that don't want them; and

**WHEREAS**, the proposed Act would:

* Create a new State bureaucracy to handle the permitting and siting of wind  and solar projects, which would not be responsive or accountable to the local communities impacted, and which would be susceptible to influence from deep-pocket domestic and foreign energy corporations and their lobbyists;  and
* Override and nullify County Local Laws and Town/City/Village Ordinances that were adopted by local governments to responsibly guide development of energy projects within their jurisdictions, in accordance with the wishes of their citizens and businesses; and
* Remove the voices of the local citizens and their elected representatives from the siting process; and
* Endanger the ability of local governments to receive fair property tax revenues from renewable energy facilities; and
* Establish undefined and unquantified host community benefits and create workforce training programs, "subject to available funding," which are geared toward non-existent green energy jobs; and
* Allow corporations whose proposals are already going through the Article 10 process to opt into the new fast-track process, thereby avoiding legitimate and valid objections and concerns of the local impacted communities and circumventing vital processes that that hold project proposers accountable.

**NOW, THEREFORE, BE IT RESOLVED**, that the Oswego County Legislature opposes the misleadingly-named Accelerated Renewable Energy Growth and Community Benefit Act, and urges the New York State Legislature to reject the proposal; and

**BE IT FURTHER RESOLVED** that the Town Clerk for the Town of Sandy Creek shall forward a copy of this resolution to the New York State Association of Towns and Legislator Michael G. Yerdon.

**THE RESOLUTION WAS** **ADOPTED WITH THE FOLLOWING ROLL CALL VOTE:**

 4 Ayes Ridgeway, Scheppard, Wood, Warner

 0 No

 1 Abstain Gove

NOCA – Nancy Dingman sent an e-mail stating that there was nothing new to report this month.

Library – Library Director Jessica Godfrey provided the monthly newsletter to the Town Board. A Leprechaun Lego Party is planned for March 14th at 11 am. This is a popular annual event at the library. The Watertown Small Business Development Center (SBDC) is offering a free six hour introductory course at the library on March 28th, April 4th and 18th from 10 am to 1 pm. They would like at least 10 people to sign up for the course.

Planning Board – Chairman Shirley Rice read the report from the Sandy Creek Regional Planning Board’s meeting on March 4th and it has been filed in the Town Clerk’s office. Eleanor Capogrosso contacted Secretary McCullough about purchasing the former Chittenden house and moving it downstate. The Planning Board doesn’t believe that they have the authority to make a decision regarding that. The Ontario Shores project at Seber Shores is scaling back and will be filing new paperwork.

Water Advisory Committee- There was no meeting in February. They plan to meet on March 30th at 6 pm.

Code Enforcement Officer – John Howland’s report for February is on file in the Town Clerk’s office and available for public inspection. Two building permits were issued and one violation notice was issued after a complaint from DSS. CEO Howland filed a 40 page annual report to NYS. Water District #1 received the first payment from Verizon and CEO Howland will look for another company to add a cellular antenna to the water tower. Construction of the Verizon antenna is scheduled in about a month. CEO Howland is interested in an IMA with other towns so that CEO’s will be able to cover for each other when necessary. He also plans to request help from the villages for the annual software support costs for his office in the Town Hall since it is also used to issue permits and notices for both villages as well as the town.

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of February totaled $1,297.00. Of this total, $1,128.26 was paid to Supervisor Ridgeway for town revenue. This report is on file in the Town Clerk’s office and available for public inspection. Approximately 82% of over 3,000 tax bills have been collected. Second notices will be mailed by March 13th.

Engineers – Dustin Clark, P.E. of Barton & Loguidice was present to update the Town Board on current projects. B&L is working through the scope of the sewer project study with the NYSDEC. Mr. Clark is interested in the list of properties slated for auction for a possible site for a sewer treatment facility.

NYSDEC approval for the Sandy Creek/Richland Joint Water Project was difficult, but they did issue a final decision. Properties in the Coastal Erosion Hazard Area cannot have public water. B&L tried everything to get these parcels approved. The town will need to refund the affected properties their 2019 and 2020 water district charge on their tax bills. The DEC has approved the rest of the project area. The project lost approximately 40 EDUs which was 5% of the total. However, the cost of the project has an estimated decrease of approximately 8%.

**Joseph Bocsor** of **US Rt 11** asked how much money will be saved by removing those properties from the project. He merged his three parcels last year and lives on an abandoned town road actually. He would like some of the money that is being saved to be used to pay for the water connection to his home. Mr. Clark explained that the district boundaries are set and he will discuss his particular situation with him after the meeting.

**WAC Chairman Norma Newman** asked if this means that the optional areas will be getting water. Mr. Clark explained that we won’t know for sure until the bids come in. There is now a better chance, but good bid numbers are needed first. Material costs are up 25% across the board. Project construction is estimated to take about 15 months. A maximum of 21 months is being allowed in the contract. We are still waiting for some permits and they will likely be here at the last minute. Bid information will be going out early next week and they will be opened April 8th. We will know the bid numbers at the April meeting, but will schedule a special meeting to award the bid. Construction could begin around May 1st at the earliest.

**RESOLUTION 31-20**

On motion by John W. Wood, Jr., seconded by Ruth E. Scheppard, 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 adopts a loan resolution for $9,466,000 for Water Service area #3.

**RESOLUTION 32-20**

On motion by John W. Wood, Jr., seconded by Ruth E. Scheppard, 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 adopts a second loan resolution for $2,000,000 for Water Service area #3.

**RESOLUTION 33-20** - **RESOLUTION AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE TOWNS OF SANDY CREEK AND RICHLAND JOINT WATER PROJECT**

 **WHEREAS,** the Town of Sandy (Town) is the Owner of the Towns of Sandy Creek and Richland Joint Water Project (“Project”); and

 **WHEREAS,** Barton & Loguidice, D.P.C. (B&L), has been retained by the Town to prepare design Contract Documents for the proposed Project, and to assist the Town with bidding the Project in accordance with General Municipal Law; and

 **WHEREAS,** the Town Board wishes to complete the bidding process as expeditiously as possible and without unnecessary delay.

 **WHEREAS,** the Town Board acknowledges the Plans and Specifications have been reviewed and approved by the New York State Department of Transportation.

 **WHEREAS,** the Town Board acknowledges the Plans and Specifications are currently under review and have not yet been approved by the New York State Environmental Facilities Corporation, New York State Department of Health, United States Department of Agriculture Rural Development, and New York State Department of Environmental Conservation.

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Sandy Creek, does hereby authorize the advertisement for bids for the Towns of Sandy Creek and Richland Joint Water Project; and

**BE IT FURTHER RESOLVED,** this Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote and the vote was as follows:

**Ruth E. Scheppard Town Councilman Voted Yes**

**Nola J. Gove Town Councilman Voted Yes**

**Dave Warner Town Councilman Voted Yes**

**John W. Wood, Jr. Town Councilman Voted Yes**

**Nancy Ridgeway Town Supervisor Voted Yes**

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

**OLD BUSINESS**

Negotiations with the Teamsters’ Union continues. Office of the Aging will hold hours at the Town Hall the second Thursday of each month from 1 to 3 pm to help citizens with questions and concerns.

**NEW BUSINESS**

**RESOLUTION 34-20**

On motion by Ruth E. Scheppard, seconded by John W. Wood, Jr., 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 accepts the annual software support contract for the Building & Codes Enforcement software program from Williamson Law Book Company for March 1, 2020 through February 28, 2021 for $432.00.

**RESOLUTION 35-20**

On motion by Dave Warner, 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 act as the fiduciary agent for the Oswego City-County Youth Bureau Grant application written by the Annie Porter Ainsworth Memorial Library.

There are several draft intermunicipal agreements that the Town Board needs to review.

**RESOLUTION 36-20**

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 approves the following **INTERMUNICIPAL AGREEMENT** by and between the Town of Sandy Creek, hereinafter called “Town”, and the Village of Sandy Creek, 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 Sandy Creek for the Village:

1. Academy Street
2. Buchanan Place
3. East First Street
4. Franklin Street
5. Kersey Drive
6. Park Street

**RESOLVED,** that the Town shall snow plow the parking lot and driveway of the Ainsworth Memorial Library located at 6064 South Main Street, Sandy Creek, New York; and

**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.

There are some repairs to be done to the fan and molding in the apartment.

**RESOLUTION 37-20**

On motion by Ruth E. Scheppard, seconded by Dave Warner, 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 deems the 2014 Ford F-250 pickup truck only as surplus equipment and authorizes it to be placed on auction. The plow will be retained and used by the town.

The new plow truck is ready and will be delivered as a plow truck. The DMV paperwork was done today. Due to the delay a 5 year extended warranty is added free of charge and Henderson added a one year warranty on the plow free of charge.

Three applications have been received for the Historian position. Supervisor Ridgeway will set up interviews. Councilman Gove agreed to audit the books of the Town Clerk, Tax Collector and Water Clerk.

**TRANSFER OF FUNDS**

**RESOLUTION 38-20**

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

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

 0 No

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

**From Description To Description Amount**

B-1990.4 Contingent B5710.4 N. Pond Waterways Nav. $ 730.00

SW1-1990.4 Contingent SW1-8397.2 Water, Meters& Equipment 12,633.81

SW2-1990.4 Contingent SW2-8397.2 Water, Meters & Equipment 3,158.45

SW3-1990.4 Contingent SW3-8347.2 Water, Meters & Equipment 15,792.26

**APROVAL OF BILLS**

**RESOLUTION 39-20**

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 bills be paid on Abstract #4 in the following amounts:

General Fund $ 286.74

Trust & Agency $ 13,678.81

**And** on Abstract #5 in the following amounts:

General Fund $ 33,659.21

Highway $ 31,914.50

Sewer Project – H1 $ 93.75

Water Project #3- H3 $ 49,078.40

N Pond Shoreline-H4 $ 2,514.75

Water District #1-SW $ 2,404.57

Water District #2-SW $ 426.50

Water District #3-SW $ 3,658.29

Trust & Agency $ 9,389.45

The next Water Advisory Committee meeting is scheduled for March 30th at 6 pm and the next regular monthly meeting of the Town Board will be held April 8th at 7 pm.

**RESOLUTION 40-20**

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

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

 0 No

**Resolved** that the Town Board of the Town of Sandy Creek will enter executive session at 8:36 pm to discuss collective bargaining negotiations. Attorney Prosachik was invited in. Everyone else left the meeting at this time. Town Clerk Miller waited in her office for the regular meeting to resume.

**RESOLUTION 41-20**

**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 9:15 pm.

**On motion** by Ruth E. Scheppard, and seconded by John W. Wood, Jr., and carried unanimously, the meeting was adjourned at 9:17 pm.

Respectfully submitted,

Tammy L. Miller, RMC

Town Clerk