

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: May 10, 2017

Kind of Meeting: Regular Meeting

Place: Town Hall

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

Others Present:
Tammy L. Miller
Brittany M. Washburn
Margaret A. Kastler
Allison J. Nelson, Esq.
Michael Kastler
Shirley Rice
Pat McCullough
Dustin Clark
George Kalkowsky
John Howland in @ 7:17 pm
Brian Muto
Peggy Rice
Pat McDougal
Wayne Miller
Dan Yerdon

CALL TO ORDER:

Town Supervisor Nancy Ridgeway called the meeting to order at 7:01 pm with the Pledge of Allegiance.

APPROVAL OF MINUTES:

RESOLUTION 39-17

On motion by Ruth Scheppard, seconded by Nola J Gove, the following resolution was ADOPTED - 5 Ayes Ridgeway, Warner, Scheppard, Wood, Gove
0 No

Resolved that the Town Board of the Town of Sandy Creek approves the minutes of the April 12th meeting 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 today and is available for public inspection.

RESOLUTION 40-17

On motion by Ruth Scheppard, seconded by Nola J Gove, the following resolution was ADOPTED - 5 Ayes Ridgeway, Warner, Scheppard, Wood, Gove
0 No

Resolved that the Town Board of the Town of Sandy Creek amends the 2017 budget by creating appropriation line SW1-8397.451, labor for the automatic water salesman.

TRANSFER OF FUNDS

RESOLUTION 41-17

On motion by Ruth E. Scheppard, seconded by Nola J. Gove, 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 SW1-1990.4 Contingent account	To SW1-8340.1 Water Operator	\$	9970.11
SW1-1990.4 Contingent account	SW1-9030.8 Social Security		763.00
SW1-8310.1 Water Admin Pers.	SW1-8993.1 Water Advisory Bd		300.00
SW2-8310.1 Water Admin Pers	SW2-8993.1 Water Advisory Bd		300.00
SW1-9950.4 Tx to Capital Reserve	To SW1 Reserve Fund		\$125,000.00
SW2-9901.4 Tx to Capital Reserve	To SW2 Reserve Fund		1,000.00
H1 bank account -2575	To SW1 bank account -2583		0.15

REPORTS:

Assessor – Rhonda Weigand’s report is on file in the Town Clerk’s office and available for public inspection. Supervisor Ridgeway reported that the 2017 Tentative Assessment roll has been filed in the Town Clerk’s office. Mrs. Weigand suggested that the Town Board consider opting out of all commercial and residential wind and solar project exemptions.

Dog Control Officer- Elisa Dunn’s report for April is on file in the Town Clerk’s office.

Historian – Charlene Cole’s monthly report is on file in the Town Clerk’s office and available for public inspection.

Town Justice- The judges’ reports for April have been received by the Town Supervisor.

Legislator – Margaret Kastler reported that May 11th is Introduction to Government Day at the Oswego County Legislature at 2 pm. She will be taking a 7th grader from Sandy Creek, Boylston and Redfield to work with her. Legislator Potter will be taking a student from Orwell with him. Legislators Kastler and Doyle along with officials from Jefferson County attended a meeting in Redfield regarding the construction of windmills from Lorraine through Redfield. The electricity generated will be sent down to New York City. She also attended the Oswego County Shared Services Panel meeting at CiTi. Mayors and Town Supervisors were mandated to attend. A list of shared services has been generated and shared through e-mail. The Town of Sandy Creek is at the top of the list by number of shared services by town.

Library- Director Jessica Godfrey was excused tonight. Her report is on file in the Town Clerk’s office.

Planning Board – Chairman Shirley Rice read highlights from the report of the Sandy Creek Regional Planning Board’s meeting on May 2nd. The June meeting is rescheduled for Wednesday, June 7th at 7 pm due to Grievance Day. The 15 year solar/wind exemption and the local solar law were discussed with Attorney Nelson. Councilman Warner’s biggest concerns are with potential toxins and with the decommissioning plan.

Attorney Nelson stated that the Town can require a decommissioning bond on a case by case basis if desired. Councilman Wood would like access to the net metering information added to the law so the Town will know if a facility is operating or idle. The Town Board was not ready to make decisions tonight and tabled the discussion until more information is available.

Highway/Water Superintendent – Michael C. Kastler read his highway report. He discussed a possible pilot program with the county regarding reimbursement for plowing county roads. Next, Superintendent Kastler read his water department report. Both reports are filed in the Town Clerk’s office and available to the public. The automatic water salesman should be open by Memorial Day weekend. One quote has been received for its installation. Much of the work was done by the highway department. The Village of Sandy Creek intends to raise the cost of water to Water District #2 to \$8.50 per thousand gallons of water effective November 1st. The town has not received a response from the village regarding the true cost of water.

Water Advisory Committee – The minutes from the April 24th meeting have been filed.

Code Enforcement Officer – John Howland’s report for April is on file in the Town Clerk’s office. He will have a list of junk violation notices by next meeting. The campground inspections have been completed with Councilman Scheppard’s assistance. A trial was scheduled for the junk law violation on Tryon Road. An agreement of stipulation was reached. The junk must be removed by July 30th and the violator will pay up to a \$1,000 fine.

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of April totaled \$2,274.12. This report is on file in her office and available for public inspection. She received notice from Greene Point Marina, LLC that they will have their portable cook stand open weekends throughout the summer. She also received information from the Tobacco Free Network of CNY offering free signs and policy writing. This information was shared with the library.

Engineers - George B. Kalkowsky, I. E. of Barton & Loguidice, D.P.C. explained the details of the completed Map, Plan, and Report for Water Service Area #3 including boundaries, water source, expected water demands and withdrawal, the system details and the proposed EDU schedule. This joint project with the Town of Richland will cost approximately \$13,996,000 and includes 736 EDUs of which 516 are in the Town of Sandy Creek. The debt service will cost approximately \$434 per EDU and the total cost for water in the first year is estimated at \$639. There have been some minor changes to the map since the last meeting including changes on Upton Road. Miller Road to the Interstate 81 bridge has been added and some landlocked parcels have been removed.

RESOLUTION 42-17

On motion by Nancy Ridgeway, 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 accepts the Map, Plan and Report for Water Service Area #3.

RESOLUTION 43-17

On motion made by Nancy Ridgeway and seconded by Dave Warner, **BE IT RESOLVED** as follows:

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

**RESOLUTION/ORDER FOR PUBLIC HEARING
ON ESTABLISHMENT OF THE
TOWN OF SANDY CREEK WATER SERVICE AREA NO. 3
PURSUANT TO ARTICLE 12-C, OF THE TOWN LAW
OF THE STATE OF NEW YORK**

WHEREAS, the Sandy Creek Town Board authorized Barton & Loguidice, D.P.C., Consulting Engineers, to prepare a Map, Plan, and Report for the possible establishment of a water service area within the Town of Sandy Creek, said Map, Plan and Report to include the installation of water lines and other necessary improvements to establish a water distribution system; and

WHEREAS, *the Town Board believed it in the best interest of the citizens of the Town to form a Water Service Area, said proposed water distribution system to include, but not limited to, an area located along Autumn Drive, Balcom Drive, Beaver Lane, Chipman Lane, County Route 15, County Route 62, Country Club Lane, Deer Run, Elms Road, Greene Point Road, Henderson Road, Hilton Road, Irma’s Way, Laura Drive, Lindsey Drive, Marina Road, Marsha Drive, Miller Road, Mona Lane, N. Rainbow Shores Road, Orton Road, Park 3 Drive, Punkin Hook Drive, Rainbow Shores Road, Ross Park Drive, S Sandy Pond Inlet, Sawmill Road, NYS Route 3, Stanley Drive, Tryon Road, Upton Road, US Route 11, W. Shore Drive, Waful Shores, Weaver Road, Whitney Lane and Wilder Drive in the Town of Sandy Creek; and*

WHEREAS, said Map, Plan and Report was filed with the Town Clerk for the Town of Sandy Creek the 10th day of May, 2017; and

WHEREAS, this Board has reviewed the Map, Plan and Report, and wishes to schedule a public hearing regarding the possible formation of a Water Service Area to be known as Water Service Area No. 3 pursuant to Article 12-C of the Town Law of the State of New York; and

WHEREAS, the boundaries of the proposed Water Service Area No. 3 are as follows:

See Schedule A; and

WHEREAS, the improvements proposed, to be a new water distribution system to include meter pits, remote read meters and service lines to the curb box. All property owners who connect to the water main will be required to disconnect their private supply. The estimated cost for a property owner to install a service line from the curb box to the user’s residence is **\$600-\$800** and there is no hookup fee charged by the Town; and

WHEREAS, the maximum amount proposed to be expended for such improvements is **TEN MILLION (\$10,000,000.00) DOLLARS**; and

WHEREAS, the proposed method to be employed for financing such system is The Town of Sandy Creek is applying to receive a grant of **ONE MILLION FOUR HUNDRED AND TWO THOUSAND ONE HUNDRED SEVENTY-FOUR DOLLARS (1,402,174.00) from DWSRF or WIG, a loan of EIGHT MILLION DOLLARS (\$8,000,000.00)** at 0 percent interest for thirty (30) years from the New York State Environment Facilities Corporation (EFC); and

WHEREAS, the estimated annual cost to the typical property/typical home or equivalent dwelling unit (“EDU”) would be \$700 per year, said amount includes the typical annual water use costs estimated at 40,000 gallons per year, and said annual cost would be assessed solely against properties located in the water service area on a benefit basis according to the established “EDU” criteria; and

WHEREAS, a Map, Plan and Report describing such improvements are on file in the Office of the Town Clerk of the Town of Sandy Creek for public inspection, and it is hereby

ORDERED, that the Town Board of the Town of Sandy Creek shall hold a Public Hearing pursuant to the Town Law of the State of New York to consider the proposed establishment of the Water Service Area No. 3 with the improvements specified above, said hearing to be held the **14th day of June, 2017 at 7 p.m.**, at the Sandy Creek Town Hall, 1992 Harwood Drive, Sandy Creek New York, at which time and place all persons interested in the subject thereof may be heard concerning same and the Town Board of the Town of Sandy Creek shall hold a meeting immediately following the public hearing to consider formation of the Water Service Area No. 3; and it is further,

ORDERED, that the Town Clerk of the Town of Sandy Creek is hereby authorized and directed to publish a copy of this Resolution/Order in the **Watertown Daily Times**, one of the official newspapers for the Town of Sandy Creek, and post a copy of same on the sign board of the Town of Sandy Creek in the time and manner required by law.

An IMA will be drafted for the June meeting for the newly proposed water project,

PUBLIC COMMENT – There was none at this time.

OLD BUSINESS – The manure law was discussed. The latest draft is dated April 27, 2017.

RESOLUTION 44-17

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 4/27/17 draft of the manure law to be sent to the NYS Department of Agriculture and Markets for review.

NEW BUSINESS

RESOLUTION 45-17

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

Resolved that the Town Board of the Town of Sandy Creek approves the following **Cooperative Service Agreement**:

THIS AGREEMENT made this day 24th day of April, 2017 by and between the Town of Sandy Creek (the “Town”), with its principal offices in Sandy Creek, New York and the Sandy Creek Central School District (the “School”), a public school district organized and existing under the Education Law of the State of New York with its principal offices in Sandy Creek, New York entered into pursuant to General Municipal Law 119-0 concerning the sharing of the **Town Salt Shed Facilities** of the Town Highway Department of the Town of Sandy Creek.

WHEREAS, each party has reviewed its cost and expenses incurred or expected to be incurred as a result of this shared arrangement, and each has determined its costs to be minimis and essentially equal to the benefit each party is receiving from the other.

NOW, THEREFORE, it is mutually agreed:

The Town of Sandy Creek grants permission to the Sandy Creek Central School District to use the salt shed facilities located at the Sandy Creek Highway Barn, for the purpose of getting road salt for the schools parking lots.

The Town grants permission to the School to use the salt shed as needed, as mutually determined by the parties.

The School will provide its own loader to load the salt each time unless in an emergency situation.

The School will indemnify and hold the Town harmless against any claim for damage which is made against the Town by reason of any act by the School in the use of said property and hold the Town harmless for any expense in connection therewith and will cause the Town to be named as insured under the School’s general liability policy. The School will provide the Town with evidence of such coverage showing that the Town has been added as insured to the policy.

The Town will indemnify and hold the School harmless against any claim for damage which is made against the School by reason of any act by the Town in the use of said property and hold the School harmless for any expense in connection therewith and will cause the School to be named as insured under the Town’s general liability policy. The Town will provide the School with evidence of such coverage showing that the School has been added as insured to the policy.

The Town shall bill the School annually for the costs incurred for the use of salt at the salt shed, payable within the School Districts next warrant schedule.

This Agreement may be terminated by either party at any time. In the event no termination notice is received, such Agreement shall continue on an annual basis.

Termination: Either party may terminate this agreement by giving the other party 30 calendar days’ notice, in writing, of its desire to terminate this agreement.

IN WITNESS WHEREOF, this Agreement has been duly executed on the date and year written above and shall expire on April 24, 2020 unless sooner terminated.

Supervisor Ridgeway introduced Daniel Yerdon who is interested in serving on the Board of Assessment Review.

RESOLUTION 46-17

On motion by Nola J. Gove, 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 appoints Daniel Yerdon to the Board of Assessment Review with a term expiring September 30, 2021.

RESOLUTION 47-17

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

Resolved that the Town Board of the Town of Sandy Creek will hire All Pest, Inc. to apply two exterior treatments to the Town Hall to control spiders for \$262.80.

RESOLUTION 48-17

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 Town Board of the Town of Sandy Creek accepts the annual software support contract for the Town Clerk Plus program from Williamson Law Book Company for May 1, 2017 through April 30, 2018 for \$678.00.

RESOLUTION 49-17

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 will replace the dock at the public boat launch on Wigwam Drive with plastic, floating docks for a cost not to exceed \$5,000.

PAY BILLS

RESOLUTION 50-17

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

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

Resolved that the bills be paid on Abstract #8 in the following amounts:

General Fund \$ 275.20
Trust & Agency \$ 9,566.39

And on Abstract #9 in the following amounts:

General Fund	\$36,179.91
Trust & Agency	\$ 6,538.03
Highway Fund	\$20,535.37
Water District#1-SW	\$ 9,169.39
Water District#2-SW	\$ 8,083.15
Water District#3-H	\$ 3,150.00

The next regular monthly meeting of the Town board will be June 14th at 7 pm.
The next Water Advisory Committee meeting will be June 26th at 6 pm.

Supervisor Ridgeway gave assignments to the Town Board members as follows:

Councilman Warner – floating dock

Councilman Wood – Town of Sandy Creek welcome signs

Councilman Gove – insurance plan for retirees

Councilman Scheppard – Municipal Electric and Gas Alliance

On motion by Ruth E. Scheppard, seconded by Nola J. Gove, and carried unanimously, the meeting adjourned at 9:08 pm.

Respectfully submitted,

Tammy L. Miller, RMC
Town Clerk