

**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 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  
Ronald 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.



**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 1<sup>st</sup> 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**

**Engineers** – 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





