

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

Date: October 10, 2018

Kind of Meeting: Regular Meeting

Place: Town Hall

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

Others Present:
Tammy L. Miller
Brittany M. Washburn
George Kalkowsky, P.E.
Anthony Young, P.E.
Allison J. Nelson, Esq.
Margaret Kastler
Michael C. Kastler
Shirley Rice
Pat McDougal
Norma Newman
Wayne Miller
Jessica Godfrey
John Howland at 7:22 PM
Sandy Gibaud-Goodwin

Absent: Nola J. Gove

CALL TO ORDER:

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

APPROVAL OF MINUTES:

RESOLUTION 82-18

On motion by Dave Warner, seconded by John W. Wood, Jr., the following resolution was

ADOPTED- 4 Ayes Ridgeway, Scheppard, Warner, Wood

0 No

1 Absent Gove

Resolved that the minutes of the September 12th meeting are approved as written.

FINANCIAL REPORT

The monthly financial report of the Supervisor was placed in the Town Board members' mail boxes and was filed in the Town Clerk's office today.

REPORTS:

Highway/Water Superintendent – Superintendent Kastler read his highway report. He reported that all of the water meters have been read and bills will be out November 1st. In Water District #1 we are still selling equipment for new services. In Water District #3 the two towns have had a special joint meeting. The water budget will be established for 2019. We hope to work on easements soon. The detailed drawings will be reviewed as soon as they are available. New meters are available that read using cellular technology. The two towns are considering them for the new water project.

Sole Assessor- Rhonda Weigand's report has been filed in the Town Clerk's office. Enhanced STAR renewals will be done by NYS beginning next year. The town has seen an increase in property sales and an increase in selling prices.

Historian – Charlene Cole's monthly report is on file in the Town Clerk's office. Supervisor Ridgeway reported that Mrs. Cole returns from vacation October 11th. She plans to finish the Blount Lumber Company book this fall.

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

Legislator- Oswego County Legislator Margaret Kastler reported that the legislature will be meeting at 2 pm throughout the winter. They are working on shared services and the county budget. The town should be receiving paperwork on Sunset Circle soon. The town should be receiving grant money for dredging the channel. The county will not contribute money to the dredging project.

Library– Library Director Jessica Godfrey reported that the Library will be celebrating its 90th Anniversary on October 25th from 10 pm to 6 pm. Brochures and buttons for the event were made at the library. The trustees are working on the budget. Slime Saturday will be held on October 20th from 11 am to noon. Children eight years old and up will make their own slime. Family movie night will be October 12th at 4 pm. Finding Paranormal will be back this year on October 30th at 6 pm. An Octoberfest event is being planned for October 27th.

NOCA – The quarterly report from Northern Oswego County Ambulance has been filed in the Town Clerk's office.

Planning Board – Chairman Shirley Rice read the report from the October 2nd meeting of the Sandy Creek Regional Planning Board

Water Advisory Committee- Chairman Norma Newman reported on their September 24th meeting. Members are working on EDU review of Water Service Area #3. The next meeting will be October 29th at 6 pm.

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of September totaled \$6,799.25 of which \$1,168.51 was the town's portion. This report is on file in her office and available for public inspection. There is a vacancy on the Board of Assessment Review. The Town Board needs to appoint someone to fill this vacancy.

Code Enforcement Officer – John Howland's report for the month of September is on file in the Town Clerk's office. Attorney Nelson will send a letter to the Snyder's on Co Rt 15 regarding unlicensed vehicles. CEO Howland requested permission to hold a Code Enforcement Officers' meeting at the Town Hall on October 24th from 9 am to 11 am.

Engineers – George Kalkowsky, P.E. of Barton & Loguidice, D.P.C. was present to update the board on current projects. Eight sewer interest surveys have been returned since last month. B&L has developed a map plotting the yes and no responses. It looks like a potential sewer district would be ½ the size of the area proposed at the informational meetings. However, the cost cannot be ½ due to the need for a treatment plant, etc. Anthony Young will be taking the lead on the water project. Preliminary layout should be complete in about a month. They are working on the easement list. We are waiting to close on short term financing. A letter of conditions was received from Rural Development (RD) last week. The project is on target for a late summer of 2019 or spring of 2020 possible start date.

RESOLUTION 83-18

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

ADOPTED - 4 Ayes Ridgeway, Scheppard, Wood, Warner

0 No

1 Absent Gove

Resolved that the Town Board of the Town of Sandy Creek approves the following:

Lateral Restriction - Conditions on Future Service

The Town of Sandy Creek imposes the following conditions, on the management of water lines located within the Richland/Sandy Creek Joint Water Project (Sandy Creek WSA3) within an agricultural district, maps of which are attached to this resolution showing the boundaries of the agricultural district in relation to the parcels indicated:

(1) The only land and/or structures which will be allowed to connect to the proposed waterline or sewer within an agricultural district will be existing structures at the time of construction, future agricultural structures, and land and structures that have already been approved for development by the local governing body prior to the date of filing of the Notice of Intent by the municipality. Land and structures that have been approved for development refer to those properties/structures that have been brought before a local governing body where approval (e.g., subdivision, site plan, special permit) is needed to move forward with project plans and the governing body has approved the action. If no local approval is required for the subdivision of land and/or the construction of structures, the municipality accepts the limitation under Public Health Law §1115 that defines a “subdivision,” in part, as “any tract of land which is divided into five or more parcels.” Water and/or sewer service will not be provided to more than a total of four residences, buildings and/or structures on any tract of land which has been divided into parcels after the date of filing of the NOI by the municipality, where no local approval is required and the land is located within a county adopted, State certified agricultural district.

(2) If a significant hardship can be shown by an existing resident, the lateral restriction to the resident’s property may be removed by the municipality upon approval by the Department. It is the responsibility of the resident landowner to demonstrate that a hardship exists relative to his or her existing water supply or septic system and clearly demonstrate the need for public water or sewer service. The municipality shall develop a hardship application to be filed with the municipality, approved by the County Department of Health, and agreed to by the Department of Agriculture and Markets.

(3) If it can be demonstrated to the Department’s satisfaction that the landowner requested the county to remove his or her land from an agricultural district at the time of district review and the county legislative body refused to do so, lateral restrictions may be removed by the municipality if the Department determines that the removal of the restriction for the subject parcel(s) would not have an unreasonably adverse effect on the agricultural district.

(4) If land is removed from a county adopted, State certified agricultural district and the district has been reviewed by the county legislative body and certified by the Commissioner for modification, lateral restrictions imposed by the municipality are no longer in effect for the parcels of land that have been removed from the agricultural district.

Revised 9/28/18

PUBLIC COMMENT– Sandy Gibaud-Goodwin is concerned about a feral cat problem near her property on **Lakeshore Drive**. The town has dog control only. There is no animal control officer or any local law regarding cats in the Town of Sandy Creek. Options were discussed.

OLD BUSINESS–

RESOLUTION 84-18 - RESOLUTION DESIGNATING THE TOWN OF SANDY CREEK AS LEAD AGENCY FOR SEQRA REVIEW OF THE PROPOSED DEVELOPMENT OF A COMMUNITY SOLAR PROJECT IN THE TOWN OF SANDY CREEK

WHEREAS, High Peaks Solar LLC (“the Project Sponsor”) desires to construct one or more solar generators as a community solar project (“Project”) in the Town of Sandy Creek (“Town”) on Town owned land located on County Route 15 in the Town of Sandy Creek; and

WHEREAS, the Project has been classified as a Type 1 Action as defined by the New York State Environmental Quality Review Act (“SEQR”) in 6 NYCRR Part 617.4; and

WHEREAS, the Town has identified the following agencies as Involved Agencies under SEQRA:

1. NYS Department of Environmental Conservation
2. Oswego County
3. Oswego County IDA
4. NYS Department of Parks and Recreation (SHPO)
5. NYSERDA
6. Town of Sandy Creek Planning Board

WHEREAS, the Town has identified the following agencies as interested Agencies under SEQRA:

1. Indian Nations, and

WHEREAS, the Town desires to act as Lead Agency for a coordinated review of the Project pursuant to SEQRA.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Sandy Creek is authorized and directed to seek Lead Agency status under SEQRA for the coordinated review of the Project; and

BE IT FURTHER RESOLVED, that letters be sent by the Town to all of the Involved and Interested Agencies together with a Part I Environmental Assessment Form requesting concurrence with the Town acting as Lead Agency.

NOW, THEREFORE, upon motion made by Nancy Ridgeway, and seconded by Ruth E. Scheppard, **BE IT RESOLVED** as follows:

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

RESOLUTION 85-18

On motion by Nancy Ridgeway, and seconded by Ruth E. Scheppard, the following resolution was

ADOPTED - 4 Ayes Ridgeway, Scheppard, Wood, Warner

0 No

1 Absent Gove

Resolved that the Town Board of the Town of Sandy Creek will hold a public hearing on the 14th day of November 2018 at 7:00 p.m. at the Town Hall to discuss the possibility in entering into two Option and Lease Agreements with High Peaks Solar LLC each for a period of 25 years, with the possibility of two additional extensions of 5 years whereby the Town will lease two parcels of land located on Co Rt 15 in the Town of Sandy Creek for the purpose of developing solar energy projects.

The sewer interest survey map was discussed. Councilman Wood asked that how many properties in each highlighted box did not return a survey card. The map will be updated to include the non-response numbers. There is an opening on the NOCA board for a representative from the Town of Sandy Creek. The vacancy on the Board of Assessment Review was tabled.

**NEW BUSINESS –
RESOLUTION 86-18**

On motion by John W. Wood, Jr., and seconded by Dave Warner, the following resolution was

ADOPTED - 4 Ayes Ridgeway, Scheppard, Wood, Warner

0 No

1 Absent Gove

Resolved that the Town Board of the Town of Sandy Creek adopts the “Sexual Harassment Policy for the Town of Sandy Creek”.

The County of Oswego Snow Removal and Ice Control Agreement was discussed. The Town Board needs to decide if they will stay in the pilot program or go back to the former method of billing. In the pilot program the town will receive 30% of the payment in October and 70% in February. The increase in salt pricing was also discussed.

RESOLUTION 87-18

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

ADOPTED - 4 Ayes Ridgeway, Scheppard, Wood, Warner

0 No

1 Absent Gove

Resolved that the Town Board of the Town of Sandy Creek authorizes Town Supervisor Nancy Ridgeway to sign the agreement with Northern Oswego County Ambulance, Inc. for emergency ambulance services for 2019 for a total cost of \$97,357.25.

At the special joint meeting of the Towns of Richland and Sandy Creek, the boards discussed billing their new water districts in 2019 for the amount equal to one full annual debt payment, approximately \$440 per EDU.

RESOLUTION 88-18

On motion by Dave Warner, and seconded by John W. Wood, Jr., the following resolution was

ADOPTED - 4 Ayes Ridgeway, Scheppard, Wood, Warner

0 No

1 Absent Gove

Resolved that the Town Board of the Town of Sandy Creek reappoints William J. Joyce and Richard M. Machemer to the Sandy Creek Regional Planning Board for a three year term expiring October 31, 2021.

TRANSFER OF FUNDS

RESOLUTION 89-18

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

ADOPTED - 4 Ayes Warner, Wood, Scheppard, Ridgeway

0 No

1 Absent Gove

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

FROM	Line #	Description	TO	Line #	Description	\$ Amount
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A1990.4	Contingent Account	A1640.4	Clothing Allowance	\$2,000.00
DB5130.2	Machinery-Equipment	DB5130.4	Machinery- Contractual	1,725.00
DB5140.1	Brush & Weeds Personal Service	DB5140.4	Brush & Weeds Contractual	161.00
SW1-1990.4	Contingent Account	SW1-8320.42	Water Source of Supply- Utilities	2,000.00
SW2-1990.4	Contingent Contractual	SW2-8340.4	Water Operator, Contractual Exp	111.00
DB2701	Refunds of Prior Years Expenditures	DB5112.2	Permanent Improvements - Capital O	25,254.45
DB2701	Refunds of Prior Years Expenditures	DB5112.22	Permanent Improvements- Local Roads	1,240.45
DB5110.2	General Repairs- Equipment	DB5112.22	Permanent Improvements- Local Roads	8,946.29

Bob Groman sent notice that he is changing the name of his private road from Stanley Drive to Green Heron Lane. The portion of Stanley Drive that NYS recently paved will not change.

The Sandy Pond Channel Maintenance Association has submitted a bill for reimbursement. It is from BDS, the contractor they hired to dredge the channel this fall. They are requesting that the town reimburse SPCMA \$20,000. This money will count toward the town's share of the resiliency grant.

Supervisor Ridgeway had questions regarding a bill for first aid and safety supplies for the Town Barn.

PAYMENT OF BILLS

RESOLUTION 90-18

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

ADOPTED - 4Ayes Ridgeway,Scheppard, Warner, Wood

0 No

1 Absent Gove

Resolved that the bills be paid on Abstract #18 in the following amounts:

General Fund \$ 276.48

Trust & Agency \$ 9,110.08

And on Abstract #19 in the following amounts:

General Fund \$54,241.76

Trust & Agency \$ 7,208.21

Highway Fund \$ 26,346.32

Water District #1-SW \$5,706.53

Water District #2-SW \$ 8,806.86

Water District #3-H3 \$ 1,039.19

The next regular monthly meeting of the Town Board will be held November 14th at 7 pm.

On motion by John W. Wood, seconded by Ruth E. Scheppard and carried unanimously, the meeting was recessed at 8:43pm to reopen on October 11th at 6 pm.
Respectfully submitted, Tammy L. Miller, Town Clerk