

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

**Date:** February 13, 2019

**Kind of Meeting:** Regular Meeting

**Place:** Town Hall

**Board Members Present:** Ruth E. Scheppard  
John Wood  
Dave Warner

**Others Present:**  
Michael C. Kastler  
Rebekah Prosachik, Esq.  
Tammy L. Miller  
Brittany M. Washburn  
Dustin Clark, P.E.  
Anthony Young, P.E.  
Patricia McDougal  
John Howland

**Absent:** Nancy Ridgeway  
Nola J. Gove

**CALL TO ORDER:**

Deputy Town Supervisor Ruth E. Scheppard called the meeting to order at 7:05 pm with the Pledge of Allegiance.

**PUBLIC HEARING on Fire Prevention and Building Code Local Law**

Deputy Supervisor Scheppard opened the public hearing on Local Law No. 1 of the Year 2019, a local law Providing for the Administration and Enforcement of the ICC, State Fire Prevention and Building Code. No one spoke for or against this local law and the public hearing was closed at 7:07 pm.

Again, the Town Board could not vote on the Official Bank at this meeting as Deputy Supervisor Scheppard must abstain due to her employment by PathFinder Bank and three affirmative votes are necessary.

**APPROVAL OF MINUTES:**

**RESOLUTION 10-19**

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

ADOPTED - 3 Ayes            Scheppard, Warner, Wood  
                  0 No  
                  2 Absent         Ridgeway, Gove

**Resolved** that the minutes of the January 9<sup>th</sup> meeting are approved as written.

**FINANCIAL REPORT**

The Monthly Report of the Supervisor is on file in the Town Clerk's office.

**REPORTS:**

Highway/Water Superintendent – Michael C. Kastler read his highway report and his water report. There are several EDU assignments that need review. We hope to be working on easements for Water District #3 soon.

Assessor- Deputy Supervisor Scheppard read Rhonda Weigand's report and it has been filed in the Town Clerk's office. March 1<sup>st</sup> is the NYS deadline for all exemption applications and renewals.

Dog Control Officer –Anne Derr prepared a report for the Town Board and it was filed in the Town Clerk's office. She is absent due to bad weather this evening.

Historian – Charlene Cole's monthly report was e-mailed to the Town Board and is on file in the Town Clerk's office.

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

Legislator – Margaret Kastler was absent due to a Republican committee meeting this evening.

Library– Library Director Jessica Godfrey was absent due to the weather.

NOCA – The 2018 4<sup>th</sup> Quarter- Year End Town Report from Northern Oswego County Ambulance has been received and filed in the Town Clerk’s office.

Planning Board –The report from the Sandy Creek Regional Planning Board’s meeting on February 5<sup>th</sup> has been filed in the office of the Town Clerk and is available for public inspection.

Water Advisory Committee- The minutes from the January 28<sup>th</sup> meeting have been filed in the office of the Town Clerk and are available for public inspection.

Code Enforcement Officer – John Howland’s report for January is on file in the Town Clerk’s office and available for public inspection.

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of January totaled \$1,521.64. This report is on file in her office and available for public inspection. Mrs. Miller provided the Town Board with the Town Clerk’s 2018 Annual Report. On January 29<sup>th</sup> the entire Town tax levy for 2019 was paid to the Town Supervisor. Over 57% of the total tax warrant had been collected as of January 31<sup>st</sup>. On February 7<sup>th</sup> a payment of \$1 million was sent to the Oswego County Treasurer. Judge Crast is in favor of upgrading the court’s DVR and camera system with funds from the equipment line of the court’s budget. STAT Communications Inc. provided a quote of \$1,297 in March of 2018. Mrs. Miller will ask for an updated quote for this upgrade to the current video system. Notice was received from the Oswego County Board of Elections that NYS has consolidated the Primary Elections of June and September. All Primary Elections will now be held in June. The 2019 Primary Election will be held on June 25<sup>th</sup>. The seats held by Town Supervisor Ridgeway, Councilmen Gove and Warner and Oswego County Legislator Kastler are up for election.

**RESOLUTION 11-19**

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

**ADOPTED** - 3 Ayes Warner, Wood, Scheppard  
0 No  
2 Absent Ridgeway, Gove

**RESOLVED** that the Town Board of the Town of Sandy Creek approves the Polling Site Agreement with the Oswego County Board of Elections for the purpose of conducting elections on June 25<sup>th</sup> and November 5, 2019.

Notice of renewal of their alcoholic beverage license was received from The Elms Golf Club and Brewsters. Notice of a new application was received from Kyle’s Wigwam LLC. They are requesting that the 30-day advance notice requirements be waived.

**RESOLUTION 12-19**

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

**ADOPTED** - 3 Ayes Warner, Wood, Scheppard  
0 No  
2 Absent Ridgeway, Gove

**RESOLVED** that the Town Board of the Town of Sandy Creek waives the 30-day advance notice requirements as may be set forth by the Alcoholic Beverage Control Law for Kyle’s Wigwam, LLC.

**RESOLUTION 13-19**

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

**ADOPTED** - 3 Ayes Scheppard, Wood, Warner  
0 No  
2 Absent Ridgeway, Gove

**Resolved** that the Town Board of the Town of Sandy Creek accepts the annual audits of Town Justice Crast and Town Justice Stoker for 2018 as completed on January 26, 2019 by Nola J. Gove.

Councilman Wood led a discussion about lowering the EDU assignment for a vacant parcel owned by Gerald Bednarskion Upton Road. He cannot merge this parcel with his residential parcel as they are in two different school districts. The discussion was tabled until more research is done.

David Klein, Senior Field Representative from The Nature Conservancy was unable to make tonight's meeting due to weather. Deputy Supervisor Scheppard said she will become the Principal Contact or Project Manager for the Town of Sandy Creek North Sandy Pond Shoreline Restoration Project as Dave Warner cannot do it due to a conflict of interest. The MOU will need to be corrected. Councilman Warner will remain on the committee and Deputy Supervisor Scheppard asked him to give an update on the project. Over 20 people were at the last committee meeting. Mr. Klein is concerned with the work plan and the progression of it. Permits are required. Councilman Warner believes that dredging will not occur in the fall of this year. Highlights of the project and the budget were discussed. Donations to this project were discussed. It is believed that the Town can accept donations, but cannot be involved in the solicitation of donations for a project such as this.

Town Clerk Miller informed the Town Board that Lee Gokey of 39-41 Chipman Lane has verbally requested a refund of his tax bill equivalent to a 0.5 EDU charge as he believes his EDU charge should have been 1.0 rather than 1.5. WAC Chairman Norma Newman recently inspected his boathouse and confirmed that there are no kitchen or bathroom facilities inside. Mrs. Newman recommends a reduction to 1.0 EDU and wants the Town Board to consider a refund to Mr. Gokey.

#### **RESOLUTION 14-19**

**On motion** by John Wood, seconded by Dave Warner, the following resolution was

**ADOPTED** - 3 Ayes            Scheppard, Wood, Warner

0 No

2 Absent            Ridgeway, Gove

**Resolved** that the Town Board of the Town of Sandy Creek agrees to assign a 1.0 EDU to the Gokey property for future billing, but will not refund any portion of his 2019 tax bill.

Engineers – Anthony Young, P.E. of Barton & Loguidice was present to update the Town Board on current projects. B&L is working on the final design drawings for Water District #3. Applications to the Army Corps of Engineers and the DEC will be submitted by the end of February. The next big step will be obtaining easements. Drawings and descriptions are in progress. An agreement with the NYS EFC DWSRF for short term interest-free financing should be ready by April or May. Deputy Scheppard will call the EFC to see if the closing on the loan can be done as soon as possible.

**PUBLIC COMMENT:** There were none at this time. However, **Pat McDougal of the Water Advisory Committee** expressed her concern over errors in the EDU assignments and wonders if there is a better way to inform property owners of new water districts and/or their EDU assignments in the future.

#### **NEW BUSINESS**

The resolution to expend money for the 2020 highway truck could not be completed this evening as four affirmative votes are necessary for approval.

#### **RESOLUTION 15-19- Local Law #1 of 2019, Fire Prevention and Building Code**

**WHEREAS**, the Town Board has considered adopting Local Law 1 of 2019 a local law regulating state fire prevention and building code in the Town of Sandy Creek; and

**WHEREAS**, the Town Board has reviewed the proposed local law, held a public hearing regarding same, after notice, on the 13<sup>th</sup> day of February 2019 at which time members of the public had the opportunity to speak and comments were received regarding the local law; and

**WHEREAS**, the Town Board further notified the Oswego County Planning Board pursuant to Article 12-B, Section 239 (l&m) of the New York State General Municipal Law and that the Oswego County Planning Board recommended approval of the local law by correspondence dated January 15, 2019; and

**WHEREAS**, the Town Board has reviewed the requirements of the State Environmental Quality Review Act, and found that the proposed local law would be an Unlisted Action under said act, expressed its desire to act as lead agency and so notified the Oswego County Planning Board, Oswego County Health Department, Oswego County Highway Department, New York State Department of Agriculture and Markets, New York State Department of Environmental Conservation, New York State Department of Transportation, New York State Division of Historic Preservation, Town of Boylston, Town of Ellisburg, Town of Orwell, Town of Richland, Village of Lacona, Village of Sandy Creek, and U.S. Army Corps of Engineers; and

**WHEREAS**, after full discussion, the Town Board deems it in the best interest of the Town to adopt the proposed local law; and

**NOW, THEREFORE**, on motion made by Councilman Ruth Scheppard, seconded by Councilman Dave Warner, be it resolved as follows:

1. Town Board completed Part 2 of the Short Environmental Assessment Form on the record and determined the proposed local law to be an Unlisted Action, that the Town Board act as lead agency and determined the local law will not have a significant adverse environmental impact.

2. That the proposed local law is hereby adopted by the Town Board.

**Motion passed** as follows:

NANCY RIDGEWAY, Town Supervisor	ABSENT
RUTH E. SCHEPPARD, Councilman	AYE
NOLA J. GOVE, Councilman	ABSENT
DAVE WARNER, Councilman	AYE
JOHN W. WOOD, JR., Councilman	AYE

**APPROVAL OF BILLS**

**RESOLUTION 16-19**

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

ADOPTED - 3Ayes           Scheppard, Warner, Wood

0 No

2 Absent           Ridgeway, Gove

**Resolved** that the bills be paid on Abstract #2 in the following amounts:

General Fund           \$ 279.50

Trust & Agency       \$ 24,478.75

**And** on Abstract #3 in the following amounts:

General Fund           \$ 70,469.12

Trust & Agency       \$ 13,244.91

Highway Fund          \$ 50,949.18

Sewer Fund            \$ 2,560.00

Water Project #3- H3 \$ 134,379.19

Water District #1-SW \$ 465,236.27

Water District #2-SW \$ 755.09

Water District #3-SW \$ 3,127.13

The next meeting of the Water Advisory Committee will be February 25<sup>th</sup> at 6 pm and the next regular monthly meeting of the Town Board will be March 13<sup>th</sup> at 7 pm. CEO Howland recommended the Town Board read the article titled “Counties Must Guarantee Property Maintenance Charges Incurred by Towns” in the November/December issue of *Talk of the Towns & Topics* magazine.

**On motion** by Ruth E. Scheppard., and seconded by John Wood, and carried unanimously, the meeting was adjourned at 8:06 pm. Respectfully submitted, Tammy L. Miller, Town Clerk