**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:** April 12, 2023

**Kind of Meeting:** Regular Meeting

**Place:** Sandy Creek Town Hall

**Board Members Present:** Timothy D. Ridgeway  **Others Present:**

 Ruth E. Scheppard Michael C. Kastler

 Nola J. Gove Tammy L. Miller

 John W. Wood, Jr. Brittany M. Washburn

 Dave Warner Michael G. Yerdon, Legislator

 Jessica Godfrey

 Peggy Rice

 Eric Pappa

Pat McDougal

 James Bremm

 Ron Fisher

 John Howland @ 7:08pm

**CALL TO ORDER:**

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

**APPROVAL OF MINUTES:**

**RESOLUTION 32-23**

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

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

 0 No

**Resolved** that the minutes of the March 8th meeting are approved as written.

**REPORTS:**

**Highway/Water Superintendent** - Michael C. Kastler read his highway and water department reports. He wants to replace the town’s lawnmower. He has written quotes from two places on multiple brands and models. One of the two boilers at the town hall may need replacing. More quotes are needed for that. A new hot water tank at the town hall may be needed. An on-demand/tankless model was discussed. The tank option is likely better due to the high mineral content of the water and the fact that the town hall may be used as a shelter when necessary. There will be a meeting soon with WD Malone to discuss punch list items to be completed in the water project. A meeting with the Town Board of the Town of Richland is needed to discuss updating the IMAs and the water rate increase. The gravel pad is ready for the gazebo to be delivered.

**RESOLUTION 33-23**

On motion by Dave Warner, seconded by John Wood, 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 will purchase a Simplicity Courier 52” zero turn mower with a 52” fabricated deck, 25 hp Briggs & Stratton engine and 4-wheel suspension for $4,999 from Tug Edge Outdoor & More.

**Sole Assessor** - Rebecca Trudell’s monthly report has been filed in the Town Clerk’s office.

**Dog Control Officer** - Anne Derr’s monthly report has been filed in the Town Clerk’s office.

**Historian** - Peggy Rice filed a written report for March. Mrs. Rice reported that she spoke to Professor Michael Oberg from SUNY Geneseo back in January about a history intern to help in our cemeteries, update 911 addresses and assist the Heritage Foundation of Oswego County. She is doing an audit of inventory comparing the town and library accession books. She has also been working in the abandoned cemeteries and will get one more quote for fencing at the cemeteries.

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

**Legislator** - County Legislator Michael Yerdon reported that photos will be taken of the county’s ARPA funding recipients on April 17th. He will join representatives of the Oswego County Fair Association, the Joint Water Works, and the Sandy Pond Channel Maintenance Association for photos. SPCMA will be receiving $100,00 for 3 years. The legislature will be voting on Cable Trail VFW’s request on April 13th. There are now more applications than money left to award. Councilman Wood asked about the status of the YMCA bridge project. The county had proposed to relocate the bridge to its original location. It is in a wetland, and they would need to prove that there would be minimal environmental impact. The DEC will not approve the site. They would also need to take some private property, so the project may not happen.

**Library** - Library Director Jessica Godfrey gave copies of the library’s newsletter and calendar to the Town Board. She also had before and after pictures showing the library’s new look. The young adult area is now part of the adult room. The mural in the children’s room is half done. The public seems to like the new layout. It seems more spacious and easier to walk through. Some electrical work was needed. A re-opening ceremony will be held June 10th. Local author Ira Marcks will hold a comic book workshop on April 29th. All 22 spots have been filled. He will also do a meet and greet. An Easter egg hunt was held. All 250 eggs were found within 15 minutes. Screen-free week coincided with school’s spring break. The library supplied boxes for a fort building activity for the kids.

**NOCA** – Representative Nancy Dingman’s e-mails haven’t come through the last couple of months. Ambulance repairs have been done and repairs are needed on their boiler.

**Planning Board** – Screening of solar panels was discussed. Although trees may last longer than privacy fencing, the trees on US Rt 11 appear to be dead. They may have been too close to the road. Planting trees 300 to 400 feet off the road may be better. Training on the comprehensive plan was done at the April 5th meeting. The draft marijuana law is still pending if the board is interested in pursuing it.

**Code Enforcement Officer** – John Howland’s list of permits and violations for March has been filed. April 17th is the compliance date for the Kent property.

**RESOLUTION 34-23**

On motion by Nola J. Gove, seconded by Timothy D. Ridgeway, 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 will authorize Attorney Hills to begin the process for a special proceeding in State Supreme Court regarding the Kent property violation.

CEO Howland attended a weeklong training in Syracuse. Half of the campground renewals have been received. The junk and trash at the Farmer property on Snyder Road was discussed.

**RESOLUTION 35-23**

**RESOLUTION SCHEDULING PUBLIC HEARING FOR LOCAL LAW NO. 1 OF 2023**

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

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

 0 No

 **WHEREAS**, Executive Law §381(2) provides that local governments are required to administer and enforce the New York State Uniform Fire Prevention and Building Code (hereinafter the “Uniform Code”), and the Energy Conservation Construction Code of New York State (hereinafter the “Energy Code”); and

**WHEREAS,** 19 NYCRR Part 1203 which contains the “minimum standards” established by the Department of State pursuant to Executive Law §(1), requires each local government that administers and enforces the Uniform Code and Energy Code to establish a code enforcement program and to include certain features within that program; and

**WHEREAS**, the Uniform Code and Energy Code were amended, effective May 12, 2020, and based on the new versions of the Uniform Code and Energy Code, corresponding changes were necessary to 19 NYCRR Part 1203 to coordinate these rules and regulations for administration and enforcement of the Uniform Code and Energy Code; and

**WHEREAS**, proposed Local Law No. 1 of 2023 providing for the administration and enforcement of the Uniform Code and Energy Code in the Town of Sandy Creek has been introduced by the Town Board, and the Town Board has determined same to be in compliance with the new regulations, and as such believes it would be appropriate to set a public hearing to consider adoption of same; and

**NOW THEREFORE,** **IT IS HEREBY RESOLVED,** that the Town Board of the Town of Sandy Creek shall hold a public hearing on May 10, 2023 at 7:00 p.m. to consider Local Law No. 1 of 2023 which provides for providing for the administration and enforcement of the Uniform Code and Energy Code in the Town of Sandy Creek.

**Town Clerk** – Town Clerk Tammy L Miller reported that the total receipts and disbursements for the month of March totaled $2,317.00 of which $2,120.02 was town revenue. Tax collection was cashed up with the county today. At the local government conference on April 6th, we learned that NYS now allows Dog Control Officers to return dogs to their owner without an impound fee due to overcrowding in the animal shelters across NYS.

**Upstate Freshwater Institute**- Ron Fisher was present to give an update on the data collected for the Sandy Pond Tributary study. There is now data from winter and spring. In October the water flow was low and the baseline data was collected. In December, the data showed slightly elevated levels of nitrogen. In March the nitrogen was still slightly elevated and the phosphorus levels remained low. Phosphorus helps algal blooms to grow and nitrogen is naturally occurring. There will be two more weeks of sampling now and at the end of April. This is showing that the streams are not a major contributor of contamination in Sandy Pond. The 9E Plan will include a broader sampling including areas of Jefferson County. There are no results yet for that study.

**CEHA** – Pete Backus spoke with Supervisor Ridgeway today. Funds are slow coming in to pursue the new variance application. Pat McDougal reported that some issues arose when Craig Sternberg presented some new ideas to the landowners. The project has lost three major donors, although others have promised to send funds. Attorney Fogel is waiting to see if enough funding comes through to proceed.

**PUBLIC COMMENT – Water Operator Eric Pappa** expressed concern over the water rate and dropping our 50 cent upcharge. He led a discussion about changing out the Meter Interface Unit (MIU) on the old Badger meters over to the Zenner system. Zenner meters currently cost $184.80. MIU transmitters usually have a life expectancy of 10 -12 years. There are approximately 600 to change over with 65 in WD #2. The meters do belong to the customer. However, the Badger system is now outdated. The Water Clerk will work on a letter for the customers offering the option to upgrade their water metering system.

**RESOLUTION 36-23**

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 accepts the pricing agreement with New York Underground, Inc. for the year 2023 dated 3/10/23 setting the rate for directional drilling up to 2” at $25.00 per foot.

**OLD BUSINESS**

**RESOLUTION 37-23**

On motion by John W. Wood, 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 agrees to and authorizes Town Supervisor Timothy Ridgeway to sign the latest draft of the Labor Agreement between the Town of Sandy Creek and Teamsters Local Union 317 dated January 1, 2023 – December 31, 2025.

Town board members were asked to review the employee handbook and send their ideas to Councilwoman Gove. The town’s ARPA funds were discussed at length. The town has many things that should be done with the money and the Fair association, the Lacona Fire Department and the VFW have each requested money in writing. There is approximately $119,000 unspent to date. An application with a deadline was discussed. One suggestion was to cover the town’s needs and then see if any money is left.

**RESOLUTION 38-23**

On motion by Ruth E. Scheppard, seconded by Dave Warner, 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 approves the annual audits of the Tax Collector, Town Clerk, and Water Clerk as completed by Councilwoman Gove on March 17, 2023.

**RESOLUTION 39-23**

**RESOLUTION SCHEDULING PUBLIC HEARING FOR LOCAL LAW NO. 2 OF 2023**

On motion by Timothy Ridgeway, seconded by Dave Warner, the following resolution was

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

 0 No

 **WHEREAS**, last year the Oswego County Legislature adopted Local Law No. 1 of 2022 which increased senior citizens’ eligibility for the county’s partial tax exemption, same having gone into effect March 1, 2023; and

**WHEREAS,** the Town Board of the Town of Sandy Creek (hereinafter the “Town Board”) having determined the raised income guidelines and adjusted sliding income scale would make hundreds of seniors in the Town of Sandy Creek newly eligible for the exemption, it would be beneficial to the Town of Sandy Creek residents for the Town to also enact such legislation; and

**WHEREAS**, proposed Local Law No. 2 of 2023 entitled “Senior Citizen Exemption” providing for a partial property tax exemption for persons 65 years of age or older, based upon certain income qualifications, pursuant to Real Property Tax Law §467, having been introduced by the Town Board and determined to be appropriate to set a public hearing to consider adoption of same; and

**NOW THEREFORE,** **IT IS HEREBY RESOLVED,** that the Town Board of the Town of Sandy Creek shall hold a public hearing on May 10, 2023 at 7:00 p.m. to consider Local Law No. 2 of 2023 providing for a partial property tax exemption for persons 65 years of age or older, based upon certain income qualifications, pursuant to Real Property Tax Law §467.

**RESOLUTION 40-23**

On motion by Nola J. Gove, seconded by Dave Warner, the following resolution

**FAILED** - 2 Ayes Gove, Warner

 2 No Scheppard, Wood

 1 Abstain Ridgeway

that the Town Board of the Town of Sandy Creek should give $3,500 each of ARPA funds to the Oswego County Fair Association, Lacona Fire Department, and Cable Trail VFW Post #8534 and accept no more requests for ARPA funds.

**RESOLUTION 41-23**

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

ADOPTED - 3 Ayes Scheppard, Wood, Warner

 1 No Gove

 1 Abstain Ridgeway

**Resolved** that the Town Board of the Town of Sandy Creek will use the remaining ARPA funds for improving town owned property and departments.

**NEW BUSINESS**

**RESOLUTION 42-23**

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

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

 0 No

**Resolved** that the Town Board of the Town of Sandy Creek will assign the recommended EDUs as follows:

 **Current Recommended**

**Tax ID EDU EDU Property Location Property Owner**

028.00-01-03 1.50 1.00 8533-37 St Rt 3 Denson/Landphere

028.00-01-12.44 N/A 0.50 St Rt 3 Wolf

028.00-01-12.45 N/A 0.10 St Rt 3 Jones Estate

029.00-03-17.16 1.00 2.75 5752 Us Rt 11 MacDowell

028.00-01-12.41 1.00 1.33 2935 Co Rt 15 Tiffany

027.18-01-62.06 1.00 1.50 57 Albro Tract Newcomb

**APPROVAL OF BILLS**

**RESOLUTION 43-23**

On motion by Timothy Ridgeway, seconded by Nola J. Gove, the following resolution was

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

 0 No

**Resolved** that the bills be paid on Abstract #6 in the following amounts:

General Fund $ 725.97

Trust & Agency $ 14,425.03

**And** on Abstract #7 in the following amounts:

General Fund $ 28,026.15

Highway Fund $ 44,268.95

Water District #3- H3 $ 22,218.14

Water District #1-SW $ 3,875.84

Water District #2-SW $ 400.62

Water District #3-SW $ 4,306.85

Trust & Agency $ 8,502.07

The next regular monthly meeting will be held May 10th at 7 pm

**On motion** by Nola J. Gove, and seconded by Timothy Ridgeway, and carried unanimously, the meeting was adjourned at 8:51 pm.

Respectfully submitted,

Tammy L. Miller, RMC, Town Clerk