**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 8, 2020

**Kind of Meeting:** Regular Meeting

**Place:** Town Hall

**Board Members Present:** Ruth E Scheppard  **Others Present:**

 John W. Wood, Jr. Tammy L. Miller, RMC

 Dave Warner

 Nola J. Gove

**Absent:** Nancy Ridgeway

**CALL TO ORDER:**

Deputy Town Supervisor Ruth E. Scheppard called the meeting to order at 7:00 pm.

**APPROVAL OF MINUTES:**

**RESOLUTION 42-20**

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

ADOPTED - 4 Ayes Scheppard, Gove, Wood, Warner

 0 No

 1 Absent Ridgeway

**Resolved** that the minutes of the March 11th meeting are approved as written.

**FINANCIAL REPORT-** The Monthly Report of the Supervisor was received by the Town Board tonight and is on file in the Town Clerk’s office.

**OLD BUSINESS**

Negotiations with the Teamsters’ Union continues.

**RESOLUTION 43-20**

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

ADOPTED - 4 Ayes Scheppard, Gove, Wood, Warner

 0 No

 1 Absent Ridgeway

**Resolved** that the Town Board of the Town of Sandy Creek accepts the bid amount of $9,900 on the Auctions International website for the 2014 Ford F-250 blue pick-up truck owned by the water department.

The water truck was purchased by Water District #1 and the revenue from this will go into the Water District #1 operating fund.

**NEW BUSINESS**

**RESOLUTION 44-20**

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

ADOPTED - 4 Ayes Scheppard, Gove, Wood, Warner

 0 No

 1 Absent Ridgeway

**Resolved** that the Town Board of the Town of Sandy Creek approves the 2020 Agreement To Spend Town Highway Funds on Button Road, Cummings Road, and Orton Road.

**RESOLUTION 45-20**

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

ADOPTED - 4 Ayes Scheppard, Gove, Wood, Warner

 0 No

 1 Absent Ridgeway

**Resolved** that the Town Board of the Town of Sandy Creek approves the Legal Services Agreement between the Town of Sandy Creek and the Town of Richland and Prosachik Law Firm, PLLC for the Town of Sandy Creek Water District No. 3 and Town of Richland Water Service Area No. 5.

**RESOLUTION 46-20**

**On motion** made by Ruth E. Scheppard and seconded by Nola J. Gove, **BE IT RESOLVED** as follows:

Nancy Ridgeway, Supervisor ABSENT

 Ruth E. Scheppard, Councilman AYE

 Nola J. Gove, Councilman AYE

 Dave Warner, Councilman AYE

 John W. Wood, Jr., Councilman AYE

**RESOLUTION APPROVING THE COMPTROLLER APPLICATION**

**TOWN OF SANDY CREEK**

**WATER SERVICE AREA NO. 3**

 **WHEREAS,** the Town Board has been asked to consider the formation of the Water Service Area No. 3 in the Town of Sandy Creek, pursuant to Article 12-C of the Town Law; and

 **WHEREAS,** the Town Board directed that Barton and Loguidice, prepare a Map, Plan and Report to further consider all aspects of the proposed extension; and

 **WHEREAS,** at a meeting of the Town Board held the 10th day of May, 2017, the Town Board reviewed the Map, Plan and Report and directed the Town Clerk to publish the Order and Notice of Public Hearing scheduled for the 14th day of June, 2017, in the official newspaper for the Town, pursuant to Article 12-C of the Town Law; and

 **WHEREAS,** the Notice of the Public Hearing was published in the official newspaper of the Town, Watertown Daily Times, and posted on the Town bulletin board pursuant to Article 12-C of the Town Law.

 **WHEREAS,** at a regular meeting of the Town Board held the 14th day of June, 2017, the Town Board held a public hearing regarding said water service area after notice at the Town Hall in the Town of Sandy Creek, County of Oswego, State of New York and heard all persons interested in the proposed water service area formation; and

 **WHEREAS,** at a regular meeting of the Town Board held the 14th day of June, 2017, the Town Board, after full discussion, deemed that the Notice of Hearing was published and posted as required by law and was otherwise sufficient; deemed it in the best interest of the Town to form the water service area as outlined in the Map, Plan and Report prepared by Barton and Loguidice, determined that all the property and property owners within the proposed water service area would benefit from the water service area formation, determined that all the property and property owners that would benefit from the proposed water service area are included within the boundaries of the proposed water service area, determined that establishment of the water service area is in the public interest and thereby formed the water service area subject to permissive referendum, as outlined in the said Map, Plan and Report; and

 **WHEREAS,** the Town Clerk having given notice of the adoption of the resolution and no petitions having been filed with the Town Clerk to establish the Town of Sandy Creek Water Service Area No. 3; and

**WHEREAS,** the Town of Sandy Creek received a letter from the Office of the State Comptroller dated January 17, 2018 enclosing the approval of application forming the Water Service Area No. 3. Same was filed with the Oswego County Clerk’s Office on February 22, 2018; and

**WHEREAS,** the Town of Sandy Creek established Town of Sandy Creek Water Service Area No. 3 at a maximum project cost of TEN MILLION DOLLARS ($10,000,000.00); and

**WHEREAS,** it is anticipated that theconstruction of the proposed water service area will exceed the original cost estimates for the project, resulting in an increase in the maximum to be expended for the project. Based upon the increase in the construction and associated administrative costs, the maximum amount proposed to be expended for the formation of the water service area is ELEVEN MILLION EIGHT HUNDRED NINTY-THREE THOUSAND ($11,893,000.00) DOLLARS; and

**WHEREAS,** the boundaries of the Town of Sandy Creek Water Service Area No. 3 are unchanged, the improvements proposed are unchanged, and the estimated annual cost to the typical property/typical home or dwelling unit (“EDU”) is unchanged and will be $700.00 per year. Said amount includes the typical annual water costs estimated at 180 gallons per day. The EDU charge will be borne by those parcels that benefit from the project which are the parcels located in the water service area; and

**WHEREAS,** this Board has received the Letter of Conditions issued by USDA Rural Development dated September 26, 2018, wherein Rural Development has agreed to provide a grant to the water service area in the amount of ONE MILLION SEVEN HUNDRED FIFTY-TWO THOUSAND TWO HUNDRED SEVEN HUNDRED TEN DOLLARS ($1,752,710.00) which will cover the increase in the maximum amount to be expended; and

**WHEREAS,** the proposed method to be employed for financing such system is Town of Sandy Creek has applied for and received the following Federal funding options: A grant of ONE MILLION SEVEN HUNDRED FIFTY-TWO THOUSAND EVEN HUNDRED TEN DOLLARS ($1,752,710.00) from USDA Rural Development, a loan of EIGHT MILLION THIRTY-SEVEN THOUSAND TWENTY-NINE DOLLARS ($8,037,029.00) at 0 percent interest for thirty (30) years from New York State Environmental Facilities Corporation (EFC), and a grant of TWO MILLION ONE HUNDRED THREE THOUSAND TWO HUNDRED SIXTY-ONE DOLLARS ($2,103,261.00) from WIIA; and

**WHEREAS**, at a special meeting of the Town Board held the 11th day of December, 2019, the Town Board reviewed the amended map, plan and report and directed the Town Clerk to publish the Order and Notice of Public Hearing scheduled for 8th day of January, 2020 in the official newspaper for the Town, to consider increasing the maximum amount to be expended for the water service area; and

**WHEREAS,** the Notice of the Public Hearing was published in the one of the official newspapers of the Town, January 15, 2020, and posted on the Town bulletin board pursuant to Article 12-C of the Town Law; and

 **WHEREAS**, at a regular meeting of the Town Board held the 8th day of January, 2020, the Town Board held a public hearing regarding said water service area after notice at the Sandy Creek Town Hall in the Town of Sandy Creek, County of Oswego, State of New York and heard all persons interested in increasing the maximum amount to be expended to form the proposed water service area; and

 **WHEREAS**, at a regular meeting of the Town Board held the 8th day of January, 2020, the Town Board, after full discussion, deemed that the Notice of Hearing was published and posted as required by law and was otherwise sufficient; deemed it in the best interest of the Town to increase the maximum amount to be expended to form the water service area as outlined in the map, plan and report prepared by Barton and Loguidice, determined that all the property and property owners within the proposed water service area would benefit from the water service area formation, determined that all the property and property owners that would benefit from the proposed water service area are included within the boundaries of the proposed water service area, determined that establishment of the water service area is in the public interest and determined that the resolution was subject to permissive referendum; and

**WHEREAS,** the Town Clerk prepared the necessary notices and published same as required by law and no petition for referendum was filed with the Town Clerk; and

 **WHEREAS,** pursuant to Article 12-C of the Town Law, the approval of the State Comptroller is required prior to the Town Board’s issuance of an Order to increase the amount to be expended for Water Service Area No. 3 of the Town of Sandy Creek, pursuant to the Town Law, and the State Comptroller requires the submission of an Application approved by the Town Board in order to approve the water service area formation.

1. The attached supplemental application was prepared at the direction of the Town Board.
2. The Town Board believes the contents of the Application to be accurate and hereby approves the Application.
3. The Water Service Area No. 3 of the Town of Sandy Creek is in the public interest and will not constitute an undue burden on the property, which will bear the cost thereof.
4. The cost of Water Service Area No. 3 of the Town of Sandy Creek is to be assessed against all the real property within the boundaries of the proposed water service area and no benefited property has been excluded from the water service area.
5. Town Supervisor, Nancy Ridgeway, is hereby directed to execute and verify the Application.

The Town Board discussed the Sandy Creek/Richland Joint Water Project. Sealed bids were received and opened at 2 pm today at the Town Hall. There were 3 bidders. The bid packets must be reviewed before the Town Board can award the bid.

Due to Covid-19 Oswego County is recommending limiting the number of trips a resident makes to the transfer stations throughout county. They have postponed the April 22nd Rabies Clinic. The public is warned to be aware of scams at this time. All cemeteries are being asked to open early for burials.

The Eastern Lake Ontario Dunes Foundation is requesting $140,000 in matching funds from the Town of Sandy Creek’s REDI project to support their grant application to the National Fish and Wildlife Federation’s (NFWF) Sustain Our Great Lakes Program for a dune stewardship program committed to dune restoration projects.

**RESOLUTION 47-20**

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

ADOPTED - 4 Ayes Scheppard, Wood, Gove, Warner

 0 No

 1 Absent Ridgeway

**BE IT RESOLVED** that the Town Board of the Town of Sandy Creek is not interested in taking advantage of this grant opportunity at this time.

**APROVAL OF BILLS**

**RESOLUTION 48-20**

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

**ADOPTED** - 4 Ayes Scheppard, Gove, Wood, Warner

 0 No

 1 Absent Ridgeway

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

General Fund $ 281.57

Trust & Agency $ 11,486.63

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

General Fund $ 45,492.05

Highway $ 256,090.86

Sewer Project – H1 $ 31.25

Water Project #3- H3 $ 53,693.97

N Pond Shoreline-H4 $ 262,198.50

Water District #1-SW $ 3,475.06

Water District #2-SW $ 691.53

Water District #3-SW $ 2,286.81

Trust & Agency $ 7,568.58

**RESOLUTION 49-20**

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

**ADOPTED** – 4 Ayes Gove, Scheppard, Wood, Warner

 0 No

 1 Absent Ridgeway

**Resolved** that the Town Board of the Town of Sandy Creek will enter executive session at 7:16 pm to discuss collective bargaining negotiations. Attorney Prosachik was available by phone. Town Clerk Miller waited in her office for the regular meeting to resume.

**RESOLUTION 50-20**

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

**ADOPTED** – 4 Ayes Gove, Warner, Scheppard, Wood

 0 No

 1 Absent Ridgeway

**Resolved** that the Town Board of the Town of Sandy Creek will exit executive session at 7:30 pm.

**RESOLUTION 51-20**

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

**ADOPTED** – 4 Ayes Gove, Warner, Scheppard, Wood

 0 No

 1 Absent Ridgeway

**Resolved** that the Town Board of the Town of Sandy Creek will accept the current Teamsters’ proposal.

A plan for the future of the highway department facility needs to be developed in the near future. B&L will be contacted for more information on the site. The Town Board needs to know if the current town barn is saleable.

Due to Covid-19 the next Water Advisory Committee meeting is to be determined.

The next regular monthly meeting of the Town Board will be held May 13th at 7 pm.

**On motion** by Ruth E. Scheppard, and seconded by Nola J. Gove, and carried unanimously, the meeting was adjourned at 7:39 pm.

Respectfully submitted,

Tammy L. Miller, RMC

Town Clerk