**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:** February 12, 2020

**Kind of Meeting:** Regular Meeting

**Place:** Town Hall

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

John W. Wood, Jr. Rebekah Prosachik, Esq.

Dave Warner Tammy L. Miller, RMC

Nola J. Gove Brittany M. Washburn

Anthony Young, P.E. @ 7:08 pm

**Absent:** Nancy Ridgeway Brett McVoy, I.E.

Michael C. Kastler

Michael G. Yerdon

Wayne Miller

John Howland @ 7:05 pm

Nancy Dingman

Norma Newman

Patricia Shulenberg left at 8:08 pm

Tom Hart left at 8:08 pm

Brian Wallis left at 8:08 pm

Jessica Godfrey

Lynn and Dallas Miller

Randy Pellis left at 8:08 pm

Jill Mattison left at 8:08 pm

**CALL TO ORDER:**

Deputy Supervisor Ruth Scheppard called the meeting to order at 7:01 pm with the Pledge of Allegiance. She stated that Supervisor Ridgeway was absent due to a death in her family.

**APPROVAL OF MINUTES:**

**RESOLUTION 11-20**

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

ADOPTED - 4Ayes Scheppard, Gove, Wood, Warner

0 No

1 Absent Ridgeway

**Resolved** that the minutes of the December 30th and January 8th meetings are approved as written.

Patricia Shulenberg spoke about the Town of Sandy Creek Lake Ontario Shoreline Stabilization Study. The Town of Sandy Creek received a letter dated January 3rd stating that the NYS DEC accepted the proposal for the project. The Governor’s office announced on January 7th that the Town of Sandy Creek was awarded $30,000 to complete a shoreline resiliency feasibility study to address natural and nature-based shoreline protection methods in response to flooding, erosion and water levels throughout the 17 mile Eastern Lake Ontario dunes system. Ms. Shulenberg presented a draft Attachment C-Work Plan Summary and Attachment B-1- Expenditure Based Budget Summary for the project. She explained the project. This grant is broken into three parts. Councilman Warner asked several questions regarding funding and the town’s match. The Eastern Lake Ontario Dunes Foundation will be doing the majority of the work for this project.

**RESOLUTION 12-20**

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

ADOPTED - 4 Ayes Scheppard, Gove, Wood, Warner

0 No

1 Absent Ridgeway

**Resolved** that the Attachment C- Work Plan Summary and Attachment B1-Expentiture Based Budget Summary for the Town of Sandy Creek Lake Ontario Shoreline Stabilization Study 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.

Tom Hart of Hart Environmental Science & Planning, LLC was present to provide an update on the North Pond Resiliency Project. Governor Cuomo traveled to the channel today to announce the kick-off of the REDI projects. Mr. Hart reviewed the project plan. The town decided not to go with geo-tubes, made changes to the original project and therefore, some of the permits were delayed. He provided the Town Board with two maps showing the sand placement plan and a chart “Relating Project Phase to Volume and Funding”. He explained what has been accomplished so far. He will measure the amount of sand moved. He also provided an over forty page draft report entitled “North Pond Resiliency Project Report”. The REDI part of this project is a three year program. The REDI program also requires an event be held. This will likely be held in May. The invoices from Tom Hart and BDS were discussed.

**RESOLUTION 13-20**

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 Town Board of the Town of Sandy Creek authorizes movement of 7,000 cubic yards of additional sand which was part of the original North Pond Resiliency project design for an added cost under REDI funding of $105,000.

**RESOLUTION 14-20**

On motion by Dave Warner, 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 Town Board of the Town of Sandy Creek authorizes movement of an additional 10,000 cubic yards of sand which expands the original project for an added cost under REDI funding of $150,000.

**RESOLUTION 15-20**

On motion by John W. Wood, Jr., 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 proposed scope of work services under REDI from Hart Environmental Science & Planning, LLC.

**RESOLUTION 16-20**

On motion by Dave Warner, 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 Town Board of the Town of Sandy Creek accepts the proposed scope of work services for dune restoration planting for Sandy Bonanno not to exceed the cost provided and anticipated to be less than $10,000.

**RESOLUTION 17-20**

On motion by Dave Warner, 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 purchase of sand fencing for 500 feet of private shoreline plus stakes, wire and delivery not to exceed $1,000.

At this time who will install the fencing is unknown.

**RESOLUTION 18-20**

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 invoice dated January 5, 2020 from Hart Environmental Science & Planning, LLC for $1,640.22.

**RESOLUTION 19-20**

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 3 invoices from BDS Construction as follows: dated 12/30/2019 for $50,000.00; 1/31/2020 for $195,350.00; and 2/9/2020 for $128,640.00

The $50,000 payment can be released tomorrow and the other two will need to be held until the funds are available.

**REPORTS:**

Assessor- Rebecca Trudell’s monthly report is on file in the Town Clerk’s office. Deputy Scheppard summarized her report for those in attendance.

Dog Control Officer – Anne Derr prepared a report for the Town Board and it is on file in the Town Clerk’s office.

Highway/Water Superintendent – Mike Kastler read his highway and water reports aloud at the meeting. They are on file in the Town Clerk’s office. A fire hydrant on Co Rt 15 at the Pond was replaced after a car hit it. We are waiting for reimbursement from the driver’s insurance company. We received one written quote from Statewide Aquastore, Inc. for the inspection of the water tower that is due this year. We are working on easements for Water District #3.

Historian – A vacancy announcement has been sent to the Watertown Daily Times and the Oswego County News and has been shared with the public in various ways.

Judges – The Town Justices have filed their monthly financial reports with the Town Supervisor.

Legislator – Mike Yerdon reported that the next County Legislature meeting will be February 13th. He gave the board a copy of a county resolution dated June 15, 2017 entitled “Resolution Establishing a Municipal Tipping Fee Credit Regarding Residential Demolitions”. He attended a three day training in Albany last month. He spoke about the new bail reform legislation and early voting, which began last year.

Library – Library Director Jessica Godfrey provided the monthly newsletter and a yearly statistics report to the Town Board. She reported that the annual report is complete and has been sent to NYS. She summarized the statistics report. Library usage is growing. A sled dog demonstration will be held on February 22nd. On February 24th local author Derrick Smythe will be at the library with his first book. “A Royal Tea Party” for children will be held on February 29th. Town Clerk Miller suggested that SCCS alumnus Anthony Rolando would be a possible guest author for a library event. He recently published his first children’s book and plans to be in town this summer. Superintendent Kastler stated that there are two leaky windows and a roof issue on the east side of the library building. He believes it should cost no more than $3,000 to fix the roof. However, we do not have a written quote yet.

NOCA – Sandy Creek representative Nancy Dingman reported that NOCA responded to approximately 2,000 calls in 2019. There were 151 calls in January 2020. In November ambulance #3 was replaced and #4 will be replaced in April. They employ 18 advanced life support (ALS) and 10 basic EMTs.

Planning Board – The report from the Sandy Creek Regional Planning Board’s meeting on January 8th has been filed in the Town Clerk’s office. CEO Howland reported that the Ontario Sun project on Seber Shores Road is scaling back. There is another possible solar project in town. Solar projects are very popular now.

**RESOLUTION 20-20**

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 re-appoints Tom Ready to the Sandy Creek Regional Planning Board for a 3-year term of office from March 1, 2020 to February 28, 2023.

Water Advisory Committee- There was no meeting in January.

Code Enforcement Officer – John Howland’s report for January is on file in the Town Clerk’s office and available for public inspection. He will be attending training from April 7th to the 9th. He stated that Verizon needs a new W-9 from us. They will start paying the town within 90 days. However, items are backordered for the cell tower,

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of January totaled $1,404.75. Of this total, $1,184.43 was paid to Supervisor Ridgeway for town revenue. This report is on file in the Town Clerk’s office and available for public inspection. Tax collection has been busy as 75% of over 3,000 bills have been collected. The entire town share was paid to the Town Supervisor to fund the 2020 budget.

**RESOLUTION 21-20**

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 Polling Site Agreement with the Oswego County Board of Elections for the purpose of conducting elections on April 28th, June 23rd and November 3, 2019 from 5 am to 9:30 pm each day.

Engineers – Anthony Young and Brett McVoy of Barton & Loguidice were present to update the Town Board on current projects. REDI grant scope, schedule, and SEQR reports are due February 14th. Since the Sewer Project is a study, a report is not due on 2/14. However, SEQR is due.

**RESOLUTION 22-20**

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

ADOPTED - 4 Ayes Warner, Scheppard, Wood, Gove

0 No

1 Absent Ridgeway

**Resolved** that the Town Board of the Town of Sandy Creek authorizes Barton & Loguidice, D.P.C. to proceed with the proposal for engineering services for the Preliminary Engineering Report, Facilities Plan, and MPR for REDI Project – CO 66 Sandy Creek Sewer Study (File: P702.4174) for a total proposed authorization for the Scope of Services not to exceed $170,000.00.

There may be another REDI project for sewer in the future.

**RESOLUTION # 23 OF 2020**

**DETERMINATION THAT THE Proposed town of sandy creek ReDI Project- Sandy Creek SEWER district STUDY IS A TYPE II ACTION UNDER SEQR AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

**WHEREAS**, the Town has been notified of the award of an Resiliency & Economic Development Initiative Application Grant (REDI) administered by the New York State Environmental Facilities Corporation (NYSEFC) and New York State Department of Environmental Conservation (NYSDEC) for a new Sewer District Engineering Study (the Project); and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 317 (the “Regulations”), the Town desires to comply with SEQRA and the Regulations with respect to the Project; and

**WHEREAS**, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Sandy Creek hereby determines that the proposed engineering report for the Sandy Creek Sewer District/evaluation is a Type II action in accordance with 6 NYCRR Section 617.5(c) (27) which constitutes the conduction of concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary for the formulation of a proposal for action and is therefore not subject to review under 6 NYCRR Part 617.

The question of adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

Supervisor Nancy Ridgeway Absent

Councilman Dave Warner Aye

Councilman John Wood Aye

Councilman Ruth Scheppard Aye

Councilman Nola Gove Aye

The foregoing resolution was thereupon declared duly adopted.

The Sandy Creek/Richland Joint Water Project is under legal review. USDA RD sent a comment letter and a response is being drafted to answer questions and address comments. A response is also being drafted to address the questions and comments from NYS Department of Health. Coordination with NYS DEC is continuing. Progress continues on easements. Project financing continues to be coordinated with EFC, RD and Fiscal Advisors. The project should be out to bid in the next month or two. Attorney Prosachik is finalizing the application to the Office of the State Comptroller for the increase in project cost for their review and acceptance.

**PUBLIC COMMENT** – There was none at this time.

**OLD BUSINESS**

Deputy Supervisor Scheppard reported that negotiations with the Teamsters’ Union continues. The possible purchase of the Cazenovia Equipment building will be discussed in executive session.

**NEW BUSINESS**

Office of the Aging will be at the Town Hall the second Thursday of each month from 1 to 3 pm to help citizens with questions and concerns. The Town Board has no problem with the library running an Oswego County Youth Bureau grant through the town.

**RESOLUTION 24-20**

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

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

0 No

1 Absent Ridgeway

**Resolved** that the Town Board of the Town of Sandy Creek accepts the annual audits of Town Justice Crast and Town Justice Stoker for 2019 as completed on February 8, 2020 by Nola J. Gove.

**APROVAL OF BILLS**

**RESOLUTION 25-20**

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

General Fund $ 281.64

Trust & Agency $ 24,388.64

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

General Fund $ 103,655.68

Highway Fund $ 45,443.92

Water Project #3- H3 $ 100,369.59

N Pond Shoreline-H4 $ 375,817.72

Water District #1-SW $ 497,891.79

Water District #2-SW $ 4,657.36

Water District #3-SW $ 14,037.16

Trust & Agency $ 11,216.16

The next Water Advisory Committee meeting is scheduled for February 24th at 6 pm and the next regular monthly meeting of the Town Board will be held March 11th at 7 pm.

**RESOLUTION 26-20**

**On motion** made by Ruth E. Scheppard, seconded by Nola J. Gove, 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 8:50 pm to discuss proposed litigation, the proposed acquisition of real property and collective bargaining negotiations,. Attorney Prosachik, Engineers Young and McVoy and Town Clerk Miller were invited in. Everyone else left the meeting at this time.

**RESOLUTION 27-20**

**On motion** made by Ruth E. Scheppard, seconded by Dave Warner, 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 assign a 0 EDU to those parcels of property in the Coastal Erosion Hazard Area (CEHA) of Water Service Area #3 as the NYS DEC has determined that the proposed water system is not permitted in this area and no water main or services can be installed.

Anthony Young, Brett McVoy and Town Clerk Miller left the meeting at 9:38 pm. Town Clerk Miller waited in her office for the regular meeting to resume.

**RESOLUTION 28-20**

**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 10:10 pm.

**On motion** by Ruth E. Scheppard, and seconded by Dave Warner, and carried unanimously, the meeting was adjourned at 10:11 pm.

Respectfully submitted,

Tammy L. Miller, RMC

Town Clerk