**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:** May 10, 2023

**Kind of Meeting:** Regular Meeting and Public Hearings

**Place:** Sandy Creek Town Hall

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

 Dave Warner Michael C. Kastler

 Nola J. Gove Tammy L. Miller

 John W. Wood, Jr. Brittany M. Washburn

 Meg Sprague

 Terry E. Crast-left at 8:02 pm

 Michael G. Yerdon, Legislator- left at 8:02 pm

 Mike Brennan- left at 8:33 pm

**Absent:** Ruth E. Scheppard Peggy Rice

 Eric Pappa

Pat McDougal

 Bill Joyce

 Ron Fisher

**CALL TO ORDER:**

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

He opened the public hearings on Local Law No. 1 of the year 2023, a local law providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code), and the Energy Conservation Construction Code of New York State (the Energy Code) in the Town of Sandy Creek, NY and Local Law No. 2 of the year 2023, a local law 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 S467 at 7:02pm. No one spoke for or against the proposed local laws. The hearing was closed at 7:03 pm.

**APPROVAL OF MINUTES:**

**RESOLUTION 43-23**

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the minutes of the March 21st and April 12th meetings are approved as written.

**REPORTS:**

**Highway/Water Superintendent** - Michael C. Kastler read his highway report. The town’s boat docks were put in the water today by the Wigwam. The town owns a 2009 road broom with Redfield and Richland. It has approximately 3,000 hours on it and is worth approximately $10,000. They would like to replace it with a 2017 road broom with approximately 1,000 hours for approximately $35,000.

**RESOLUTION 44-23**

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the Town Board of the Town of Sandy Creek agrees to join the Towns of Redfield and Richland in the purchase of a 2017 road broom and agrees to sell the 2009 road broom.

Superintendent Kastler is scheduled for surgery on May 18th and Deputy Highway Superintendent Mike Haverlock will oversee the department. Employee Steve Babcock has done some work at the library. Charlie Trust completed the landscaping at the library. Graf Electric, LLC will be doing some work there as well. A meeting was held with WD Malone to discuss punch list items to be completed in the water project. They should begin next week and should have things finished up within two weeks or so. We are beginning the process to close the project.

**Sole Assessor** - Rebecca Trudell’s monthly report has been filed in the Town Clerk’s office. Change notices were mailed. Many are asking questions and are concerned that the equalization rate has fallen to 65%. Current hours in the department were discussed. A revaluation was suggested. The town board agreed that they want a better equalization rate and will talk to Ms. Trudell. They want better office coverage and will need to develop a town vacation policy for part-time office staff.

**RESOLUTION 45-23**

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the Town Board of the Town of Sandy Creek requires the Sole Assessor’s office to be open and covered by the Sole Assessor or her Clerk Monday, Tuesday, and Wednesday from 9 am to 3 pm.

**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 April. Mrs. Rice reported that she spoke to Professor Michael Oberg from SUNY Geneseo and there is no one in our area this spring to intern with her. She received quotes from a third company for fencing at the abandoned cemeteries.

**RESOLUTION 46-23**

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the Town Board of the Town of Sandy Creek will purchase approximately 72’ of IDP residential 3-rail fence installed for $3,660.00 at Scripture Cemetery on Fraser Road and approximately 142’ of IDP residential 3-rail fence installed for 6,865.00 at Stevens Cemetery on Co Rt 22 from Stevens Fence Co. of Evans Mills, NY.

**Town Justice** - The monthly reports of the Town Justices have been received by the Town Supervisor. Judge Crast was present to speak to the Town Board about appointing a new court clerk as Michele Forsyth resigned as of May 5th. He would like to find someone to work an average of 13 to 15 hours per week. He would prefer Mondays and Thursdays from 9am to 2 pm and on Thursday at 5 pm to approximately 8 pm for court night. They would require training.

**RESOLUTION 47-23**

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the Town Board of the Town of Sandy Creek will pay a rate of $16.00 per hour for the Town of Sandy Creek Court Clerk position.

**Legislator** - County Legislator Michael Yerdon reported that the county legislature will meet May 11th at 2pm and hold a public hearing for a proposed tax exemption for firemen and emergency medical technicians. This would be an incentive for more volunteers. The county’s office building on Bunner Street is being renovated and the Board of Elections will be moving there. A pre-bid meeting was held regarding the renovation of Camp Zerbe. The buildings will be renovated, and the trail system will be looped. They hope to have the project done by fall.

**Library** - Library Director Jessica Godfrey sent a report by email. Supervisor Ridgeway summarized the report. The reopening ceremony will be held on June 10th.

**NOCA** – Representative Nancy Dingman was absent, and Supervisor Ridgeway also summarized her report. The boilers are still not functioning properly.

**Code Enforcement Officer** – John Howland’s list of permits and violations for April has been filed. Supervisor Ridgeway reported that CEO Howland is meeting a representative of the National Flood Insurance Program here on May 24th.

Judge Crast and Legislator Yerdon left the meeting.

**Planning Board** – Bill Joyce reported that there is a possible dog daycare business opening on Edwards Road. There will be a public hearing on the Village of Sandy Creek’s solar law in July. They are continuing review of the Comprehensive Plan. Photos, census numbers and the section on Sandy Pond need updating.

**Town Clerk** – Town Clerk Tammy L Miller reported that the total receipts and disbursements for the month of April totaled $2,018.00 of which $1,765.65 was town revenue. Most of the campground permit renewals have been received. The office is getting many phone calls due to the increased water rate in districts 1 and 3. The 54th Annual Professional Municipal Clerks Week was April 30th – May 6th.

**Upstate Freshwater Institute**- Ron Fisher was present to give an update on the data collected for the Sandy Pond Tributary study. There are three new sets of data completing the study from fall through spring. This study was done with ARPA funding from the county. Streams do not seem to be a major cause of contamination and/or algal blooms on the pond. UFI be doing a full report on this study. It should be completed by late summer or fall.

**CEHA** – Supervisor Ridgeway reported that the total of the funding needed to pursue the new variance application was received today.

**PUBLIC COMMENT – Mike Brennan** wants public water at his campground in the Town of Ellisburg, which is very close to Green Point Marina and Campground in the Town of Sandy Creek. He attended a meeting in Ellisburg on May 4th. They are working on the engineering report for a public water system and hope to receive funding from a new grant program. He would like the Town of Sandy Creek to agree to a transmission line through the town from Richland to Ellisburg. He is interested in what the transmission fee will be.

**OLD BUSINESS**

Town board members were asked to review the employee handbook and send their ideas to Councilwoman Gove. The board will hold a special meeting to discuss updates to the employee handbook on May 24th at 6 pm.

**NEW BUSINESS**

**RESOLUTION 48-23**

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

ADOPTED - 3 Ayes Ridgeway, Wood, Warner

 0 No

 1 Abstain Gove

 1 Absent Scheppard

**Resolved** that the Town Board of the Town of Sandy Creek approves the annual audit of the Town Supervisor as completed by Councilwoman Gove on April 13, 2023.

**RESOLUTION 49-23**

On motion by Nola J. Gove, seconded by John Wood, the following resolution was

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the Town Board of the Town of Sandy Creek approves the Cooperative Service Agreement between the Town of Sandy Creek and the Sandy Creek Central School District for the use of salt from the salt shed effective April 26, 2023 – May 22, 2026 as signed by Town Supervisor Timothy D. Ridgeway.

**RESOLUTION 50-23**

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the Town Board of the Town of Sandy Creek authorizes Supervisor Ridgeway to sign the agreement to have All Pest apply a spray for spider control at the Town Hall.

Local Law #1 was discussed. Code Enforcement Officer Howland had recommended a change in section 12a recognizing that the state and county inspect certain structures/properties and the no one on the Town Board was opposed to the amended wording.

**RESOLUTION 51-23 -APPROVING LOCAL LAW NO. 1 OF 2023**

On motion by John W. Wood, seconded by Nola J. Gove the following resolution was

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

The following resolution as drafted and proposed by the Attorney for the Town was **ADOPTED**:

 **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 was introduced by the Town Board and the Town Board having determined same to be in compliance with the new regulations;

**WHEREAS**, at its regularly scheduled April 12, 2023 meeting, the Town Board having duly scheduled a public hearing for this night to consider adoption of Local Law No. 1 of 2023, same having been held this night as scheduled, and at which time and place were heard all persons interested in Local Law No. 1 of 2023 providing for the administration and enforcement of the Uniform Code and the Energy Code; and

**NOW THEREFORE,** **IT IS HEREBY RESOLVED,** by the Town Board of the Town of Sandy Creek that said proposed Local Law No. 1 of 2023 providing for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code (the Uniform Code), and the Energy Conservation Construction Code of New York State (the Energy Code) in the Town of Sandy Creek, New York, be and is hereby adopted; and it is further

**RESOLVED**, that a certified copy of said Local Law No. 1 of 2023 in its final form be filed with the New York State Secretary of State in accordance with law; and

**RESOLVED,** that this Local Law in its final form shall become effective as provided by law upon its filing in the Office of the Secretary of State.

**RESOLUTION 52-23 -APPROVING LOCAL LAW NO. 2 OF 2023**

On motion by John W. Wood, seconded by Nola J. Gove the following resolution was

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

The following resolution as drafted and proposed by the Attorney for the Town and **ADOPTED:**

 **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

**WHEREAS**, at its regularly scheduled April 12, 2023 meeting, the Town Board having duly scheduled a public hearing for this night to consider adoption of Local Law No. 2 of 2023, same having been held this night as scheduled, and at which time and place were heard all persons interested in Local Law No. 2 of 2023 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; and

**NOW THEREFORE,** **IT IS HEREBY RESOLVED,** by the Town Board of the Town of Sandy Creek that said proposed Local Law No. 2 of 2023 providing 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, be and is hereby adopted; and it is further

**RESOLVED**, that a certified copy of said Local Law No. 2 of 2023 in its final form be filed with the New York State Secretary of State in accordance with law; and

**RESOLVED,** that this Local Law in its final form shall become effective as provided by law upon its filing in the Office of the Secretary of State.

**RESOLUTION 53-23**

On motion by John W. Wood, seconded by Nola J. Gove, the following resolution was

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the Town Board of the Town of Sandy Creek approves the Agreement to Spend Town Highway Funds for the sum of $300,000 for general repairs on approximately 2.51 miles of town highways for 2023.

**RESOLUTION 54-23**

On motion by Nola J. Gove, seconded by John W. Wood, the following resolution was

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the Town Board of the Town of Sandy Creek approves the agreement with the Towns of Boylston and Orwell and the Villages of Lacona and Sandy Creek for a joint youth recreation program with a budget not to exceed $32,982.00.

**RESOLUTION 55-23**

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**BE IT RESOLVED** that the Town Board of the Town of Sandy Creek accepts the annual software support contract for the WLB Town Clerk Plus software program from Williamson Law Book Company for May 1, 2023 through April 30, 2024 for $911.00.

**TRANSFER OF FUNDS**

**RESOLUTION 56-23**

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the Town Board of the Town of Sandy Creek authorizes the creation of A7410.1 Library Personal Services and the following transfers of funds:

**From Description To Description Amount**

A1640.4 Town Barn Contractual A1640.1 Town Barn Payroll - Boots $ 135.00

A7110.4 Parks Contractual A7410.1 Library Personal Services 306.00

A7410.1 Library Personal Services A7410.4 Library Contractual 306.00

**APPROVAL OF BILLS**

**RESOLUTION 57-23**

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

ADOPTED - 4 Ayes Ridgeway, Gove, Wood, Warner

 0 No

 1 Absent Scheppard

**Resolved** that the bills be paid on Abstract #8 in the following amounts:

General Fund $ 4,734.44

Trust & Agency $ 10,674.16

**And** on Abstract #9 in the following amounts:

General Fund $ 26,526.24

Highway Fund $ 42,578.58

Water District #3- H3 $ 14,726.80

North Sandy Pond Shore-H4 $ 5,000.00

Water District #1-SW $ 2,022.90

Water District #2-SW $ 12,014.58

Water District #3-SW $ 21,173.49

Trust & Agency $ 15,521.85

The town needs to terminate the uniform contract. Superintendent Kastler would like to pay the contract out in June. The dress code needs to be updated in the handbook. A special meeting on the handbook will be held on Wednesday, May 24th at 6 pm. The next regular monthly meeting will be held June 14th at 7 pm

**On motion** by Nola J. Gove, and seconded by Dave Warner, and carried unanimously, the meeting was adjourned at 8:48 pm.

Respectfully submitted,

Tammy L. Miller, RMC

Town Clerk