

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:October 11, 2017

Kind of Meeting: Regular and Public Hearing

Place: Town Hall

Board Members Present:Nancy Ridgeway **Others Present:**

John W. Wood, Jr.	Tammy L. Miller
Nola J. Gove	Allison J. Nelson, Esq.
Ruth E. Scheppard	Brittany M. Washburn
	Margaret Kastler
	Michael Kastler
	Shirley Rice
	Pat McCullough
	Dustin J. Clark, P.E.
	John Howland@7:30 pm
	Jessica Godfrey
	Peggy Rice
	Norma Newman
	Wayne Miller
	Dan Yerdon

Absent:Dave Warner

CALL TO ORDER:

Town Supervisor Nancy Ridgeway called the meeting to order at 7:03 pm with the Pledge of Allegiance.

PUBLIC HEARING: Local Law No. 2 of 2017 - A Local Law Reviewing Manure Storage Facilities for CAFOs in the Town of Sandy Creek.

Town Supervisor Nancy Ridgeway opened a public hearing relative to the adoption of proposed Local Law No. 2 of 2017 – A Local Law Reviewing Manure Storage Facilities for CAFOs in the Town of Sandy Creek. No one spoke for or against this local law. The hearing was closed immediately.

APPROVAL OF MINUTES:

RESOLUTION 89-17

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

ADOPTED - 4 Ayes	Ridgeway, Scheppard, Wood, Gove
0 No	
1 Absent	Warner

Resolved that the Town Board of the Town of Sandy Creek approves the minutes of the September 13th meeting as written.

FINANCIAL REPORT:

The Town Board received a copy of the monthly financial report of the Supervisor. It was filed in the Town Clerk's office and is available for public inspection.

REPORTS:

Highway/Water Superintendent – Michael C. Kastler read his highway report. The department is busy with equipment repairs and changing trucks into snow plows. They are finishing roadside mowing and will be putting up snow poles. The DEC is still working with the town toward the dedication of a portion of Stanley Drive as a town road. The county is offering \$5,000 per mile with no additional salt in the proposed pilot program for the plowing of county roads this winter. A follow-up meeting regarding the pilot program was cancelled and has not been rescheduled. Therefore, it may not happen. Eighteen of the twenty-two towns in the county are interested in the program. Right now we are staying with the old way. Mike contacted 6 contractors and received 2 quotes for work on the cold storage building and on the water building on Lake Street as follows:
Northern Repair & Rebuilding, LLC Cold Storage: \$4,777.00 Water: \$5,750.00
Wheat Hill General Construction Cold Storage: \$1,305.00 Water: \$3,245.00

RESOLUTION 90-17

On motion by Ruth E. Scheppard, seconded by Nola J. Gove, the following resolution was
ADOPTED - 4 Ayes Ridgeway, Scheppard, Wood, Gove
0 No
1 Absent Warner

Resolved that the Town Board of the Town of Sandy Creek accepts the quotes from Wheat Hill General Construction for both of the above jobs.

Water Superintendent Kastler also reported that the water meter readings are done. The bills will be mailed prior to November 1st. The rates in Water District #2 have increased to \$8.70 per thousand gallons of water due to the village charging the town \$8.23 per thousand. This makes the biannual water bill \$174 for up to 20,000 gallons or \$348 annually in Water District #2. Possible water leaks are being addressed.

Assessor–Rhonda Weigand's report is on file in the Town Clerk's office and available for public inspection. A change to the Cold War Veterans exemption was discussed. A copy of the assessor's report and our current Cold War Veterans Exemption Local Law was given to Attorney Nelson for revision.

Dog Control Officer- Elisa Dunn's reports from August and September were received and filed in the Town Clerk's office.

Historian – Charlene Cole's monthly report is on file in the Town Clerk's office and available for public inspection.

Town Justice- The judges' reports for September have been received by the Town Supervisor.

Legislator – Margaret Kastler reported that a committee of the county legislature will vote on the proposed highway pilot agreement later this month. The county jail is too small and crowded, so the legislature is considering a building renovation project. They are beginning the adoption of a Strategic Economic Enhancement Plan and are working on the 2018 budget.

Library- Director Jessica Godfrey reported that at the NCLS annual meeting in Watertown the library received the Most Improved Library Award. They will host a flu shot clinic on October 13th from 3 to 5 pm. Finding Paranormal, a group of local ghost hunters will do a presentation of their work on October 26th at 7 pm. About 25 people attended this event last year. A children’s costume party will be held October 28th at 11 am and the monthly movie will be shown on the 12th at 6 pm. Sherry Webb is the new library assistant.

NOCA– The 2018 agreement for emergency ambulance service was received.

RESOLUTION 91-17

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

ADOPTED - 4 Ayes Ridgeway, Gove, Scheppard, Wood
 0 No
 1 Absent Warner

Resolved that the Town Board of the Town of Sandy Creek authorizes Town Supervisor Nancy Ridgeway to sign the agreement with Northern Oswego County Ambulance, Inc. for emergency ambulance services for 2018 for a total cost of \$97,357.25.

Planning Board –Chairman Shirley Rice gave the report of the Sandy Creek Regional Planning Board’s meeting on October 3rd. They will do their annual training on Sunday, November 5th at Eddie’s Cove. The November meeting is rescheduled to November 1st at the village office due to Election Day.

Water Advisory Committee– A quorum was not present for the September meeting and therefore it could not be held.

RESOLUTION 92-17

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

ADOPTED - 4 Ayes Ridgeway, Gove, Scheppard, Wood
 0 No
 1 Absent Warner

Resolved that the Town Board of the Town of Sandy Creek authorizes the adjustment of the EDU for the Bluff property at 221 Seber Shores Rd (017.20-01-11.1) to 1.5 EDU’s.

Code Enforcement Officer – John Howland’s report for September is on file in the Town Clerk’s office. Greenfield’s park model RV has been removed from the property. CEO Howland suggested a committee be formed to review the RV local law over the winter. He is the Flood Plain Administrator currently and explained the flood plain development permit process. He suggested the Town Board review and/or revise the Flood Plain Local Law and the NYS Uniform Fire Prevention Building Code Local Law.

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of September totaled \$10,253.50 of which \$3,033.62 was paid to Supervisor Ridgeway as

town revenue. This report is on file in her office and available for public inspection. It was a very busy month for hunting, fishing, and trapping licenses. Therefore, most of the revenue collected was for the NYSDEC.

Engineers— Dustin J. Clark, P.E. of Barton & Loguidice, D.P.C. reported that the Water Service Area #3 project application was resubmitted to NYSEFC requesting consideration for additional project points. Changes have been made to the hardship criteria for 2018. We should hear from the EFC by the end of the month. Thirty-five letters of support for the project have been received. The USDA funding application will be submitted online. Mr. Clark is optimistic about this application. We are still waiting for Comptroller approval. Attorney Nelson responded to them approximately two weeks ago. The NYS WIIA grant application was unsuccessful. We will apply again in 2018. The Phase 1A Archaeological Investigation is underway.

PUBLIC COMMENT – **Margaret Kastler** commented that she attended the hearing regarding lakeshore flooding that was held in Mexico last night. It lasted from 4 pm to 9 pm. Residents from Sandy Pond were there and Cathy Goodnough spoke. Another of these hearings will be held in the Buffalo area. Adequate water levels are needed for shipping, but no one wants flooding. Plan 2014 is here to stay, but some parts of it must be adjusted.

John Howland stated that he shared some paperwork regarding solar energy with Supervisor Ridgeway. The town may want to opt in on it. He also suggested we do requests for proposals from the four main cellular carriers. We may have a contract proposal from Verizon by the end of the year.

OLD BUSINESS – The boat launch is complete at Groman Shores.

NEW BUSINESS

The Town Board is working on the budget for 2018.

RESOLUTION 93-17

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

ADOPTED - 4 Ayes Ridgeway, Gove, Scheppard, Wood
0 No
1 Absent Warner

Resolved that the Town Board of the Town of Sandy Creek reviewed the Short Environmental Assessment Form, Part 2- Impact Assessment for Local Law No. 2 of 2017- A local law reviewing manure storage facilities for CAFOs in the Town of Sandy Creek and determines it is an unlisted action and it will not result in any significant adverse environmental impacts, and authorizes Supervisor Ridgeway to sign the form.

RESOLUTION 94-17

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

ADOPTED - 4 Ayes Ridgeway, Scheppard, Wood, Gove
0 No
1 Absent Warner

Resolved that the Town Board of the Town of Sandy Creek adopts Local Law No. 2 of 2017, a local law reviewing manure storage facilities for CAFOs in the Town of Sandy Creek as follows:

SECTION 1 - TITLE

This law shall be known as a local law reviewing manure storage facilities for CAFOs in the Town of Sandy Creek.

SECTION 2 - PURPOSE

The purpose of this local law is to review the location, construction, installation, operation, use, and abandonment of manure storage facilities for CAFOs in order to prevent water pollution and thereby protect the health of the residents of the Town of Sandy Creek; and promote the prosperity and general welfare of the citizens of the Town of Sandy Creek.

SECTION 3 - DEFINITIONS

Animal Manure – Excrete from livestock, poultry and other materials, such as bedding, rain or other water, soil, hair, feathers, and other debris normally included in animal manure handling operations.

Concentrated Animal Feeding Operation (CAFO) – An operation that confines animals on a site for more than 45 days a year, where feed is brought onsite. Medium and large CAFOs as defined by the New York State Department of Environmental Conservation, (“DEC”) in 6 NYCRR 750-1.2 shall be subject to the provisions of this local law.

Manure Storage Facility – A facility constructed as an accessory use to an animal husbandry use, riding stable, or kennel, intended to collect, hold, process, store, treat, or distribute solid and liquid animal waste. Included within this definition are storage tanks, lagoons, seepage pits, drains, and collection systems intended to handle animal waste solids, food processing, and concentrated animal feeding operations. Not included within this definition are systems designed and constructed to handle human waste.

SECTION 4 – REGULATED ACTIVITIES

- A. Any person who designs, constructs, installs, reconstructs, enlarges, a manure storage facility for a CAFO, or employ another person to do the same, on land in the Town of Sandy Creek shall be subject to the provisions of this local law.

- B. No manure storage facility, or addition to an existing manure storage facility for a CAFO shall be constructed, installed, reconstructed, or enlarged prior to receiving site plan review by the Town of Sandy Creek Town Board.

SECTION 5 – SITE PLAN APPLICATION

The applicant for site plan review shall submit the following:

- 1. Sketch of the parcel on a location map (e.g., tax map) showing boundaries and dimensions of the parcel of land involved and identifying contiguous properties and any known easements or rights-of-way and roadways.

2. Show the existing features of the site including land and water areas, water or sewer systems and the approximate location of all existing structures on or immediately adjacent to the site.
3. Show the proposed location and arrangement of buildings and uses on the site, including means of ingress and egress.
4. Show the proposed location and arrangement of livestock containment areas, or manure storage/manure composite sites.
5. Sketch of any proposed building, manure storage facilities, structure or sign, including exterior dimensions and elevations of front, side and rear views. Include copies of any available blueprints, plans or drawings.
6. Provide a description of the farm operation (existing and/or proposed) and a narrative of the intended use and/or location of proposed buildings, structures or signs, including any anticipated changes in the existing topography and natural features of the parcel to accommodate the changes.
7. Include the name and address of the applicant and any professional advisors. If the applicant is not the owner of the property, provide authorization of the owner.
8. If any new structures are going to be located adjacent to a stream or wetland provide a copy of the floodplain map and wetland map that corresponds with the boundaries of the property.
9. The applicant shall submit a copy of all plans, drawing or other documentation as may be required by the DEC or EPA for the manure storage facility.
10. The number, kinds, and weights of animals for which storage is provided and the duration for which storage is to be provided. Storage volume computations and the storage facility volume shall be provided.
11. The structural details, load assumptions design computations, dimensions, cross sections, concrete thickness, reinforcing steel to be used, and facility elevations. The construction and material specifications including, but not limited to, applicable specifications for earthen fill quantities and soil types, excavation quantities and soil types, timber and pipes for the proposed manure storage facility.
12. The location of any existing well within three hundred feet (300') of the facility.

13. The solid test pit locations and soil descriptions to a depth of at least five feet (5') below the planned bottom of the facility. Surface elevation of soil test pits shall be provided. Also results of any laboratory tests performed on the soils shall be provided.
14. The elevation of high ground water level or bedrock if encountered in the soil profile and the date of any such determinations.
15. Provisions for adequate drainage and control of runoff to prevent pollution of surface water and ground water. Show the location and distance of any surface flow path, well head, spring, or sinkhole within three hundred feet of the facility.
16. A time schedule for construction of the facility.
17. A description of the method and materials proposed in transferring manure into and from the facility.
18. All CAFOs shall provide an operation and maintenance plan, operating safety provisions, and details of the manure transfer system, including, but not limited to, materials quality, shall be provided.
19. All CAFOs shall provide the type of fencing and signage to be used around the facility.
20. Application form and fee (if required).

SECTION 6 – SITE PLAN REVIEW PROCEDURES

1. The applicant must submit a complete application and fee.
2. The Town Supervisor shall make a determination whether the application is complete within seven (7) days of submission. If the application is complete, the applicant may be placed on the Town Board agenda for formal review.
3. The Town Board shall complete the review of the plan and application within forty- five(45) days of the submission of a complete application.

SECTION 7 – INSPECTIONS/ENFORCEMENT

The Code Enforcement Officer of the Town of Sandy Creek may conduct onsite inspections until such time that the site plan process is completed.

SECTION 8 – ABANDONMENT

The applicant shall submit to the Town a copy of the documents that the CAFO supplies to the New York State Department of Environmental Conservation for abandonment of a manure storage facility.

SECTION 9 – PENALTIES

- A. The owner of any such facility, who commits or permits any acts in violation of any of the provisions of this local law or fails to comply with the provisions thereof shall be deemed to have committed an offense against such local law and also be liable for any such violation or the penalty therefore. Each day such violation shall continue or be permitted to exist shall constitute a separate violation.

- B. For every violation of any provision of this law, the person violating the same shall be subject to a fine of not more than Five Hundred (\$500.00) Dollars and/or fifteen (15) days in jail for each such offense. Such penalties shall be collectable by and in the name of the Town for each day that such violations shall continue.

SECTION 10 – SEVERABILITY

Each separate provision of this local law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

SECTION 11 – EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

TRANSFER OF FUNDS

RESOLUTION 95-17

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

ADOPTED - 4 Ayes Ridgeway, Scheppard, Wood, Gove
 0 No
 1 Absent Warner

Resolved that the Town Board of the Town of Sandy Creek authorizes the following transfers of funds:

From Highway Equip Reserve Fund	To DA5130.2Machinery Equipment	\$165,534.20
DA5130.4 Machinery Contr	DA5130.2Machinery Equipment	15,773.42
A1990.4 Contingent	A1220.4 Supervisor Contractual	198.00
A1990.4 Contingent	A1420.4 Law Contractual	4,000.00
DB5112.22 Perm Improve Local	DB5112.2 Perm Improve Capital	1,876.00
SW1-8397.4 Water, Meters, Equip	SW1-8397.2 Water Misc Equip	1,491.00

PAY BILLS

RESOLUTION 96-17

On motion by Ruth E. Scheppard, seconded by Nola J. Gove, the following resolution was
ADOPTED - 4 Ayes Ridgeway, Scheppard, Wood, Gove

0 No
1 Absent Warner

Resolved that the bills be paid on Abstract #18 in the following amounts:

General Fund \$ 276.72
Trust & Agency \$ 9,578.62
Water District#1-SW \$ 134.03

And on Abstract #19 in the following amounts:

General Fund \$ 16,955.98
Trust & Agency \$6,441.41
Highway Fund \$207,967.11
Water District#1-SW \$ 7,120.76
Water District#2-SW \$ 916.66
Water District#3-H \$ 500.00

Supervisor Ridgeway received an e-mail about a \$268,000 grant to North Ridge Dairy for a multimillion dollar project which will create 7 jobs. The Northern Work Group of the Oswego County Mitigation Project consists of 10 municipalities and will meet October 16th at 6 p.m. here.

John Wood worked on a site plan application form for the manure local law. Attorney Nelson will assist in completing the final draft of the form.

The next budget meeting will be October 19th at 6 pm.

The next regular monthly meeting of the Town board will be November 8th at 7 pm.

The next Water Advisory Committee meeting will be October 30th at 6 pm.

On motion by Nola J. Gove, seconded by Ruth E. Scheppard, and carried unanimously, the meeting adjourned at 8:20 pm.

Respectfully submitted,

Tammy L. Miller, RMC
Town Clerk