**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 14, 2020

**Kind of Meeting:** Regular Meeting

**Place:** Town Hall

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

Ruth E. Scheppard Tammy L. Miller

Dave Warner Michael C. Kastler

Nola J. Gove Anthony Young

John W. Wood, Jr Brittany M. Washburn

Eric Pappa

Norma Newman

Pat McDougal

Wayne Miller

Michael G. Yerdon-left @ 7:06 pm

Jessica Godfrey

Shirley Rice

Carol Rohrmoser

John Howland- in @ 7:24 pm

Lynn & Bruce Radicello- left @ 8:29 pm

Michael Lach

Nancy Dingman

Pete Backus

Bonnie & Mel Reid

John Fox-left @ 7:13pm

Arleen & Randy Newcomb

Marianne Sherman

Basil Korolenko

James C. Bushneck

Joan Pierce

James Shea

**CALL TO ORDER:**

Supervisor Nancy Ridgeway called the meeting to order at 7:01 pm with the Pledge of Allegiance. She called on Oswego County Legislator Michael G. Yerdon to do his report first so that he could attend the Village of Lacona meeting that was happening at the same time due to Columbus Day on Monday.

Legislator – Mr. Yerdon reported that the legislature is working on the county budget. He has a finance committee meeting tomorrow and the monthly legislature meeting is tomorrow at 2 pm. They hope to have no major budget increase for next year. Mr. Yerdon passed out a report called “Heritage Trout and Undisturbed Wilds at Heart of Tug Hill” by Tug Hill Tomorrow Land Trust. Genetically unique strains of brook trout have been discovered in the 170,000 acre core forest. He explained that he served on the Tug Hill Commission for 23 years helping to protect the Tug Hill and its aquifer. The core area is mainly logging roads, fully wooded and home to the headwaters of the Sandy Creeks, Salmon River and other local waterways and is a major water shed for Lake Ontario. There are no highways or permanent residents there. The biggest private landowner is a logging company. It is important that development be limited in this area to protect the wild habitat. Mr. Yerdon left the meeting at 7:06 pm.

**BID OPENING**

Town Clerk Miller opened and read aloud one sealed bid for the purchase of a screening plant from Emerald Equipment Systems, Inc. for 1 off IMS 841 Screening Plant for $109,000 net purchase amount with an optional 4 year parts warranty for up to 4,000 hours for $15,000.

**APPROVAL OF MINUTES:**

**RESOLUTION 109-20**

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

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

0 No

**Resolved** that the minutes of the September 9th 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.

**REPORTS:**

Sole Assessor- Rebecca Trudell’s monthly report is on file in the Town Clerk’s office. Supervisor Ridgeway summarized her report. She and her clerk are doing road work when the weather permits. She is also considering implementing a new program called NearMap that is being used in other municipalities. A quote and more information will be provided in the near future.

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

Historian – Peggy Rice filed a written report. She attended a meeting of the Oswego County Historians.

Judges – Judges Crast and Stoker have filed their monthly Justice Report certifications with Supervisor Ridgeway.

Library – Library Director Jessica Godfrey reported that the LED lights have been installed in the library. They now have many old bulbs that they need help disposing of. NYS Senator Patty Ritchie will attend the official re-opening of the expanded parking lot on Friday, October 16th at 11 am. The library’s Board of Trustees will have a budget meeting on Monday, October 19th and will get their budget request to the Town Board as soon as possible.

NOCA – Nancy Dingman of Northern Oswego County Ambulance was present to update the board on recent activities at NOCA. The area between NOCA and the medical center was cleared of trees. A portion of the fill was purchased from Parker’s and they donated the rest. The floor was replaced in the dispatch room and the metal roof on the storage shed was replaced. They are also updating the employee handbook.

Planning Board – Chairman Shirley Rice read the Sandy Creek Regional Planning Board’s report from the October 7th meeting and it has been filed in the Town Clerk’s office. Solar Generation Projects LLC of Saugerties, NY has re-applied for a site plan review to construct a 2.125 MW AC Community Solar Array called Ontario Sun on approximately 10 acres of a 147 acre parcel at 8569 State Route 3. A public hearing will be held on November 4th at 7 pm at the Planning Board’s monthly meeting at the village office. The driveway will now be off of St Rt 3 and the array will be about half of the original size. Once it is developed there will not be much traffic in or out of the site. Other towns have a 300 feet setback for these projects. The planning board is looking into this requirement.

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. He explained that he reviewed the screen bid with Town of Richland Highway Superintendent John Fox. The two towns intend to purchase and share this piece of equipment. Sandy Creek has already paid $8,500 toward the rental of this screen. Therefore, Richland will pay $54,500 and Sandy Creek will owe $46,000 if it is purchased. They give the towns 30 to 60 days to decide on the extended warranty. Superintendent Kastler believes the $15,000 warranty will likely pay for itself.

**RESOLUTION 110-20**

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

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

0 No

**Resolved** that the Town Board of the Town of Sandy Creek accepts the bid of $109,000 for the screening plant from Emerald Equipment Systems, Inc. and will purchase the extended warranty of $15,000.

Superintendent Kastler reported that we are still installing new services in Water District #1. Water District #2 is fairly quiet. There was a progress meeting on October 13th for the construction of Water District #3. The contractor is working on the camp roads and hopes to have them done by winter. There are still a couple easement issues to resolve.

Water Advisory Committee- Chairman Norma Newman reported that they had a meeting on September 28th and the minutes have been filed.

Town Clerk – Tammy Miller reported that receipts and total disbursements for the month of September totaled $7,933.00. Of this total, $2,466.77 was paid to Supervisor Ridgeway for town revenue. The largest portion of receipts this month is $5,256.23 for DECALS. This report is on file in the Town Clerk’s office and available for public inspection. A 30-day advance notice for a new application for an Alcoholic Beverage License was received from Alison K. Miller of 3M’s Sand Bar, LLC for a restaurant at 8461 St Rt 3. The annual Discrimination and Harassment training is due now. Town Clerk Miller will provide NYMIR online training information to those that still need to do this training for 2020.

Code Enforcement Officer – John Howland’s report for September is on file in the Town Clerk’s office and available for public inspection. It was a busy month with 11 permits and a violation. A second notice was sent to the Kent property on US Rt 11. He is taking code classes online. The town received a copy of a letter from the county about a private septic system issue. The county will monitor the situation.

Engineers – Anthony Young, P.E. of Barton & Loguidice was present to update the Town Board on current projects. An informational meeting on the proposed public sewer system was held via YouTube on September 17th. Representatives from B&L presented information and answered questions. Of the 1,100 interest surveys mailed, approximately 45% responded. Of the responses, there is a 50-50 split of yes and no. However, when asked about the cost, 60% of those that responded are not interested in public sewer.

In Water District #3 approximately 38,000 feet of water main has been installed. This is approximately 25% of the project. There are currently two crews installing water main and one doing directional drills. They are working on Ross Park Drive and Beaver Lane and are going to Waful Shores and Greene Point next. The project is on schedule and going well. Mains must be flushed, pressure tested, and tested for bacteria before the Oswego County Health Department can approve the use of the water mains to convey potable water. After approval service connections can be installed. Water Operator Pappa and Superintendent Kastler asked people not to call 911 if they see water flowing from a hydrant. This must be done to flush the mains.

**RESOLUTION 111-20**

The following resolution was offered by Councilman Ruth E. Scheppard, who moved its adoption, seconded by Councilman Nola J. Gove to‑wit:

RESOLUTION OF THE TOWN BOARD, TOWN OF SANDY CREEK, OSWEGO COUNTY, NEW YORK, accepting Revisions to the “Town of Sandy Creek and Richland Joint Water Project” Capital Project as administered through USDA Rural Development. The Town Board hereby modifies the following Administrative budget items to the upcoming Form E #4:

A.6Bookkeeping & Reporting - $29,000 move to contingency

The reason for this modification is to correct an error on the Form E that mistakenly had an amount budgeted under bookkeeping and reporting that should’ve been in contingency.

tHis BUDGETARY modification RESULTED IN a TOTAL INCREASE of CONTINGENCy BY $29,000, making total contingency $51,033.75 of which $30,000 will then be moved to technical force account under Engineering by way of AN Engineering amendment that has already been approved. Remaining contingency amount on the upcoming form E #4 will be $20,033.75.

WHEREAS, the Town of Sandy Creek, Town Board has reviewed the Form E Capital Outlay Budget category and,

NOW, THEREFORE, THE TOWN OF SANDY CREEK, TOWN BOARD HEREBY RESOLVES AS FOLLOWS:

The following vote was taken and recorded in the public or open session of said meeting:

Nancy Ridgeway, Supervisor VOTING Aye

Ruth E. Scheppard, Councilman VOTING Aye

Nola J. Gove, Councilman VOTING Aye

John W. Wood, Jr., Councilman VOTING Aye

Dave Warner, Councilman VOTING Aye

**PUBLIC COMMENT** – **Pete Backus** and **Jim Shea** of **North Rainbow Shores Road** and **Patricia McDougal** of **South Sandy Pond Inlet** spoke about their desire for public water in the Coastal Erosion Hazard Area. Mr. Backus began by stating that they are not happy that their roads are being denied public water and fire hydrants due to the NYS Department of Environmental Conservation’s decision. Regulation 505.679 established the Coastal Erosion Hazard Area in 1988 and was supposed to be reviewed every ten years. This has not been done. Tonight the residents of this area are asking the Town Board to submit a formal variance. The variance fee is waived. It is a two page application and may have supporting documents. Mr. Shea explained that this is the legal process that must happen to move forward. The group wants to have the variance ready to submit in November. If the DEC’s decision is still no, an administrative law judge can make the decision. Attorney Tom West has been hired by this group of property owners. He feels they have a strong case. It is estimated that this process may cost $15,000 to $20,000 and they are asking the town to pay half of this cost. There was a lengthy discussion. Mr. Backus explained that today they are just asking for the town to submit the variance application. Mrs. McDougal further explained that the residents of this area have spent thousands of dollars reinforcing the shoreline with riprap, etc. She has a news article from 2017 that says there was no breach in their area even during the flooding. The only breach was near the state park and it was rebuilt under DEC supervision. It had to be rebuilt a second time using riprap. She believes this shows that the DEC knows that riprap is effective. The DEC is concerned about the possible loss of infrastructure and wants no more development in the CEHA area. No one has seen any map of this area dated after 1988. Mr. Backus has requested more data from the DEC. He would like to know how much erosion has occurred since 1988. Engineer Anthony Young is concerned that the variance may require a permit modification and does not want to put the current permit on hold. Currently B&L is unsure how to submit a variance application by itself. The Map, Plan and Report for Water District #3 is set. B&L and Attorney Tom West need to speak to clarify the paperwork necessary for this. The costs for each of the three water districts in the town are separately and self-funded. **Randy Newcomb** of **South Sandy Pond Inlet** expressed his concern that he has no potable water and his taxes are not going down. The group hopes to have all paperwork and information to do the variance application by the November 4th Town Board meeting. Mrs. McDougal gave the board photos of the shoreline to review.

**OLD BUSINESS**

Supervisor Ridgeway announced that there will be no change to the EDU schedule concerning camping trailers being regularly used on parcels in the town’s water districts.

**NEW BUSINESS**

**RESOLUTION 112-20**

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

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

0 No

**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 2021 for a total cost of $107,853.78.

Superintendent Kastler solicited two written quotes for roofing work at the library as follows:

Northern Roofing of Sackets Harbor, NY $5,100.00

OBD Construction of Pulaski, NY $6,000.00 (agreement with insurance certificate)

Superintendent Kastler stated that the lower quote is incomplete.

**RESOLUTION 113-20**

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

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

0 No

**Resolved** that the Town Board of the Town of Sandy Creek the quote from ODB Construction for roof work at the Annie Porter Ainsworth Memorial Library for a total cost of $6,000.

Supervisor Ridgeway explained that sales tax revenue in NYS in 2019 was $17 billion. This represents 9.7% of local revenues. Our local budgets depend on this money and it will likely be decreasing. Councilman Warner discussed the SU EFC study with the board.

**TRANSFER OF FUNDS**

**RESOLUTION 114-20**

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

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

0 No

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

**From Description To Description Amount**

B1990.4 Contingent B9950.9 Grant Match $16,000.00

DA9030.8 Social Sec DA9050.8 Unemployment Insurance $ 31.00

DB5130.2 Machinery Equipment DB5130.4 Machinery Contractual $ 143.00

**PAYMENT OF BILLS**

**RESOLUTION 115-20**

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

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

0 No

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

General Fund $ 286.44

Highway $ 30.58

Trust & Agency $ 10,492.11

**And** on Abstract #19 in the following amounts:

General Fund $ 25,922.34

Highway $ 38,485.96

Sewer Project $ 10,425.25

Water Project #3- H3 $1,142,442.95

Dunes & Wetlnd-H6 $ 3,600.00

Water District #1-SW $ 4,496.22

Water District #2-SW $ 8,352.44

Water District #3-SW $ 4,131.35

Trust & Agency $ 6,461.71

The next Water Advisory Committee meeting is October 26th at 6 pm.

The next regular monthly meeting of the Town Board will be held November 4th at 7 pm.

**On motion** by Nola J. Gove, and seconded by Ruth E. Scheppard, and carried unanimously, the meeting was adjourned at 8:35 pm.

Respectfully submitted, Tammy L. Miller, Town Clerk