

TOWN BOARD MEETING

April 14, 2016

The Town Board of the Town of Spafford assembled at the Spafford Town Hall, 1984 Route 174, Skaneateles, New York.

PRESENT: Supervisor Christopher Kozub, Councilor Christine Fesko, Councilor Dave Venezia, Councilor Luke DeWitt, and Councilor Cherry Randall.

ALSO PRESENT: Highway Superintendent Eric Fordock, Town Clerk Lisa Valletta, Code Officer Howard Tanner, Accountant Thomas Chartrand and Town Attorney Terance Walsh.

PRESENT VIA VIDEOCONFERENCE: Town Attorney James Gascon.

Supervisor Kozub called the meeting to order at 7:02 p.m. The Pledge of Allegiance was recited.

MINUTES

A motion to accept the minutes of the March 10, 2016 and March 28, 2016 Town Board meetings as submitted was made by Councilor Fesko, seconded by Councilor Venezia. The motion PASSED: AYES- 5, NAYS- 0.

RESOLUTION 54-2016

Abstract #4 – General & Highway Funds

On a motion by Councilor DeWitt, seconded by Councilor Randall the following resolution was PASSED. AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall
NAYS – 0

General Fund Abstract #4 and Highway Fund Abstract #4 are approved. (Audited abstract totals will be reflected in the May 2016 Town Board meeting minutes.)

ABSTRACT #3 – MARCH 10, 2016

Audited bills for Abstract #3 were as follows:

General Fund	vouchers 79 – 107	\$ 23,549.88
Highway Fund	vouchers 24 – 33	\$ 15,131.58
SOAWD	vouchers 2 – 3	\$190,396.71

TOWN SUPERVISOR’S REPORT & STATEMENT

The Town Supervisor’s Report & Statement for March 2016 was read by Accountant Thomas Chartrand and filed. A motion to accept the Town Supervisor’s Report for March 2016 was made by Councilor Fesko, seconded by Councilor Randall. The motion PASSED. AYES – 5, NAYS – 0.

RESOLUTION 55-2016

March 2016 Bank Reconciliation

On a motion by Councilor Venezia, seconded by Councilor DeWitt the following resolution was PASSED. AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall
NAYS – 0

Resolved to find a positive audit of the March 2016 bank statement as presented before the Town Board.

RESOLUTION 56-2016

Audit of 2015 Town Supervisor’s Records

On a motion by Councilor Randall, seconded by Councilor Venezia the following resolution was PASSED:

AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall
NAYS – 0

Resolved find a positive audit of the 2015 Town Supervisor’s Records as presented before the Town Board.

RESOLUTION 57-2016

Audit of 2015 Town Clerk’s Records

On a motion by Councilor Fesko, seconded by Councilor DeWitt the following resolution was PASSED:

AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall
NAYS – 0

Resolved find a positive audit of the 2015 Town Clerk’s Records as presented before the Town Board.

CODE OFFICER’S REPORT

Mr. Tanner’s reported on the following activity for March/April 2016:

- Permits Issued
 - 1741 Shady Bend Road – foundation repair
 - 1627 Neoga Cliffs Road – fence
 - 2230 Olanco Road – demolition of camp...*pending*
 - 1861 East Lake Road – restoration work
 - 682 State Route 41 – addition to residence...*pending*
 - 2504 State Route 174 – addition to residence...*pending*
 - 752 Booth Road – deck

- Other Items
 - Requesting a Town Board resolution to seek bids for demolition and clean-up of the abandoned trailer on Willowdale Road. (Limestone Ridge, LLC property)
 - Requesting the Town Board consider adoption of the 2016 ICC codes & code books.
 - Requesting confidential consultation with the Town Board and Town Attorney.

RESOLUTION 58-2016

Limestone Ridge, LLC / Dean Cummins

On a motion by Councilor Fesko, seconded by Councilor DeWitt the following resolution was PASSED.

AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall
NAYS – 0

Resolved the Town of Spafford will solicit quotes for demolition and cleanup of the unsafe structure at located on Willowdale Road, identified with Tax ID 023-03-05.3.

A motion to accept the Code Officer’s Report was made by Councilor Fesko, seconded by Councilor Venezia. The motion PASSED. AYES – 5, NAYS – 0.

ZONING BOARD OF APPEALS (ZBA) REPORT

Geoff Barron, ZBA Chair, reported the April 12 meeting heard an appeal from Chris Vernak to convert the Vernak Farms store from a convenience store/pharmacy to a café.

PLANNING BOARD REPORT

Chad Marsh, Planning Board Chair, explained the Planning Board is awaiting additional information regarding Monolith Solar. Sal & Hope Strods were provided a list of concerns and requirements to be provided prior to further review of the PDD application, (the Town Board requested Planning Board review of the PDD application). Onondaga County Planning and City of Syracuse Water Authority have reviewed the application and issued comments.

HIGHWAY REPORT

Supt Fordock requested the 2000 International 6x6 10 wheel dump truck be declared surplus equipment and authorization to offer it for auction with a base value of \$30,000.

Oil and stone prices have dropped sufficiently to allow additional road work to this year’s plan; the top section of Bockes Road will be added to the 2016 maintenance plan.

Supt Fordock requested authority to advertise road closures when necessary for road work.

RESOLUTION 59-2016

Surplus Equipment

On a motion by Supervisor Kozub, seconded by Councilor DeWitt the following resolution was PASSED.

AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall
NAYS – 0

Resolved the 2000 International 6x6 10 wheel dump truck is declared as surplus equipment and will be offered at auction with a base value of \$30,000.

RESOLUTION 60-2016

Road Closure Notices

On a motion by Councilor DeWitt, seconded by Councilor Fesko the following resolution was PASSED.

AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall
NAYS – 0

Resolved Supt Fordock is authorized to publish notice of road closures as needed during 2016.

LOADER RESEARCH REPORT

Supt Fordock reported the John Deere and CAT vehicles are the least expensive; he also reviewed lease options. There was a discussion of the funds available for purchasing a new loader. Councilor Venezia requested a priority list including repair/maintenance plan and projected costs per road.

BORODINO LANDING OPERATING PERMIT DRAFT

Town Attorney Terance Walsh read the draft of proposed local law 2-2016 – to establish fees and rules for commercial use of the Borodino Boat Landing:

SECTION 1: Legislative Purpose and Intent

The purpose of this Local Law is to establish rules and a fee schedule for the commercial use by contractors of the Borodino Boat Landing on Skaneateles Lake in the Town of Spafford in a manner that preserves the health, safety and welfare of the Town.

SECTION 2: Authority

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 3: Establishment of a Borodino Boat Landing Commercial Use Fee Schedule

- 1. Resident Contractor / Project Town Residence: \$100 per project*
- 2. Non-resident Contractor / Town Resident Contractor: \$250 per project*
- 3. Non-resident Contractor / Non-resident project: \$500 per project*

The fees and penalties associated with the use of the Borodino Boat Landing may be established or amended at any time by resolution of the Spafford Town Board.

SECTION 4: Establishment of Rules for Commercial Use of the Borodino Boat Landing

1. Commercial users are defined as Contractors doing construction both on land and in the water on Skaneateles Lake and its water shed.
2. Those Contractors that want to use the Borodino Landing to load or unload Barges or similar craft with materials may do so only after contacting the Spafford Codes Enforcement officer and obtaining the proper permits and paying the proper fees per project.
3. Use of the landing is subject to the following restrictions:
 - a. Activity shall be limited to loading and/or unloading of material onto the barges or similar craft.
 - b. No cutting of lumber, mixing of concrete, or any preparation work of any kind is allowed at the landing.
4. No trucks or vehicles are allowed on the landed except during loading and unloading. No trucks or vehicles are to be left at the landing unattended for any length of time.
5. Time restrictions of use are as follows:
 - a. Between the dates of Memorial Day weekend and Labor Day Weekend, the time of loading and /or unloading is limited to 9am to Noon, Monday through Friday. No weekend use by commercial users during this time.
 - b. No commercial loading and/or unloading of barges or similar craft at the landing is to interfere with swimmers or fishermen at the landing.
6. All contractors using the landing are required to have a certificate of insurance showing the Town of Spafford as additional insured for use of the landing and start and Stop dates listed.
7. The Borodino landing is to be left clean and free of debris at all times.

SECTION 5: Severability

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

SECTION 6: Effective Date

This Local Law shall be effective upon filing with the office of the Secretary of State.

RESOLUTION 61-2016

Schedule Public Hearing – Borodino Landing Operating Permit

Supervisor Kozub introduced a proposed local law setting fees and rules for commercial use of the Borodino Boat Landing, which was seconded by Councilor DeWitt:

WHEREAS, the Town of Spafford intends to enact a local law establishing a fee schedule and rules for commercial use of the Borodino Boat Landing on Skaneateles Lake in the Town of Spafford; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the adoption of a Local Law in the Town of Spafford.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that this proposed legislation is an Unlisted action for purposes of SEQR; and it is further

RESOLVED AND DETERMINED, that the local law under consideration would establish rules and a fee schedule associated with commercial use of the Borodino Boat Landing; and it is further

RESOLVED AND DETERMINED, that the Local Law attached hereto is hereby introduced for the Town Board’s consideration; and it is further

RESOLVED AND DETERMINED, that the Town Board shall conduct a public hearing as to the adoption of this proposed Local Law amendment at the Spafford Town Hall located at 1984 State Route 174, Skaneateles, New York on May 12th, 2016, at 7:00 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested on the subject shall be heard.

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

Chris Fesko, Councilman	Voted Yes	Cherry Randall, Councilman	Voted Yes
David Venezia, Councilman	Voted Yes	Christopher Kozub, Supervisor	Voted Yes
Luke DeWitt, Councilman	Voted Yes		

The foregoing resolution was thereupon declared duly adopted.

2016 MOWING CONTRACT

The following quotes were received for the 2016 Town of Spafford Mowing Contract, certificates of insurance accompanied all quotes:

- R&L Mowing and Cleanout -- \$7,500... will discuss the spring cleanup option
- Rycoe Enterprises, Inc. -- \$12,200... \$2,550 for the spring cleanup
- Grinnell Landscaping -- \$20,000... includes spring cleanup
- Duckett’s Lawncare & Landscaping Service -- \$14,500... \$950 for the spring cleanup

There was a discussion of the quotes.

RESOLUTION 62-2016

2016 Mowing Contract

On a motion by Supervisor Kozub, seconded by Councilor Venezia the following resolution was PASSED.

AYES – 5	Kozub, Fesko, Venezia, DeWitt, Randall
NAYS – 0	

Resolved the 2016 Town of Spafford Mowing Contract is awarded to R&L Mowing & Cleanout for the amount of \$7,500. Supervisor Kozub will contact R&L Mowing & Cleanout to discuss the spring cleanup.

PDD APPLICATION

The Town is awaiting further information from Sal & Hope Strods.

VETERANS’ PARK MAINTENANCE

Supervisor Kozub will meet with Mr. Vecchio to determine the needs at the park.

TOWN CLERK’S REPORT

A motion to accept the Town Clerk’s Cash Report for March 2016 was made by Councilor Fesko, seconded by Councilor Venezia. The motion PASSED. AYES – 5, NAYS – 0.

RESOLUTION 63-2016

Schedule Public Hearing – Proposed Local Law 1 of 2016: Amending the Zoning Code

On a motion by Councilor Fesko, seconded by Councilor DeWitt the following resolution was PASSED.

AYES – 5	Kozub, Fesko, Venezia, DeWitt, Randall
NAYS – 0	

Resolved to schedule a Public Hearing on Thursday, May 12, 2016 at 7 p.m. for review and discussion of Proposed Local Law 1 of 2016: Amending the Zoning Code.

CONFIDENTIAL ATTORNEY CONSULTATION

The Town Board recessed for confidential consultation with the Town Attorney and Code Officer Howard Tanner at 7:50 p.m.

The Town Board returned to open session at 8:35 p.m.

SPEED STUDY REQUEST

Mr. Thomas Adessa presented a petition to the Town Board requesting support for a speed study on Bacon Hill Road. A copy of the petition is on file with the Town Clerk.

