

At 7:00 p.m. Supervisor Webb A. Stevens called to order the meeting of the Spafford Town Board. Councilors Bill Vinzant, Richard Fesko, Ken Lieberman and Merrill Clark were present. Deputy Highway Superintendent Michael Catherman, and Town Clerk Lisa Valletta were also present. The Pledge of Allegiance was recited. Supervisor Stevens announced Accountant Thomas Chartrand is delayed until about 7:30 p.m. Mr. Chartrand arrived at 7:45 p.m.

**HIGHWAY SUPERINTENDENT'S REPORT**

- Truck #2 and #3 have been readied for winter. They were used to clear a couple of the roads from yesterday's snowfall.
- Clean up from Large Item Day at the Transfer Station has been completed.
- The driveway pipe will be installed at the parking lot site on East Lake Road.
- Next week, the Town of Marcellus will help haul gravel to the parking lot site.

Supervisor Stevens asked if reciprocation would be made for the assistance from the Town of Marcellus. Mr. Catherman explained it is always done.

**TEAMSTERS' UNION**

Supervisor Stevens stated a letter had been received from the Teamsters' Union, explaining there was a majority interest in the Spafford Highway Department for joining the union. He asked Mr. Catherman if the Highway employees had signed with the union. Mr. Catherman stated they had signed. Supervisor Stevens asked if there was a reason for the decision to sign. Mr. Catherman stated he had been advised not to speak on the subject by Teamsters' Union representatives.

Supervisor Stevens explained a response from the Town was required in thirty days. The Board needs to discuss and determine what the response should be. Councilor Clark asked that a verification of signing from a third party be provided. Councilor Vinzant suggested the Town Attorney be consulted for a response from the Town of Spafford.

A motion to accept the Highway Superintendent's Report was made by Councilor Vinzant, seconded by Councilor Lieberman. The motion PASSED. AYES – 5, NAYS – 0.

**OCTOBER TOWN BOARD MINUTES**

A motion to accept the minutes of October 11, 2007 and October 22, 2007 Town Board meetings as submitted by the Town Clerk was made by Councilor Clark, seconded by Councilor Vinzant. The motion PASSED. AYES – 5, NAYS – 0.

**RESOLUTION 111-2007**

**Audit of Claims**

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

AYES – 5	Stevens, Vinzant, Fesko, Lieberman, Clark
NAYS – 0	

Resolved the bills on Abstract #11, be paid in the following amounts:

General Fund	#334 through # 362 and #364 and #366	\$ 16,271.87
Highway Fund	#166 through # 183	\$ 19,372.44

(Highway Fund includes Machinery & Snow bills when applicable).

**SOAWD BILLS**

The approval of the SOAWD bills will wait for Mr. Chartrand's arrival; due to the need to know where the funds will come from to pay the bills.

**TOWN CLERK'S REPORT**

A motion to accept the Town Clerk's October Cash Report as presented was made by Councilor Vinzant, seconded by Councilor Lieberman. The motion PASSED. AYES – 5, NAYS – 0.

Councilor Fesko requested an itemization of building permits be provided with the Town Clerk's report.

**APPLETON DISPOSAL BILL**

The October billing from Appleton Disposal includes a charge of \$100 for the larger compactor at the Transfer Station. Councilor Clark recommended not paying the fee until the larger compactor performs as promised by Appleton Disposal. The larger compactor was installed to avoid the need for an overflow container. An overflow container has still been needed. Councilor Clark will discuss the situation with Appleton Disposal.

**RESOLUTION 112-2007**

**Appleton Disposal Bill**

On a motion by Councilor Clark, seconded by Councilor Lieberman the following resolution was PASSED  
AYES – 5 Stevens, Vinzant, Fesko, Lieberman, Clark  
NAYS – 0

Resolved to authorize payment of General Fund voucher #363 for Appleton Disposal October 2007 billing less \$100 after reconciliation of the statement by the Town Clerk.

**RESOLUTION 113-2007**

**Workshop Reimbursement**

On a motion by Councilor Fesko, seconded by Councilor Lieberman the following resolution was PASSED  
AYES – 5 Stevens, Vinzant, Fesko, Lieberman, Clark  
NAYS – 0

Resolved to reimburse General Fund voucher #365 to Billy Vinzant in the amount of \$45 for the cost of attending the Onondaga County Planning Board workshop.

**ONONDAGA COUNTY COMMUNITY DEVELOPMENT CONTRACT #76704**

Supervisor Stevens informed the Board members of the expiration of Onondaga County Community Development Contract (OCCD) #76704. An extension is required to allow payment of bills from the Borodino Grange Restoration project. If approved, the extension will expire June 30, 2008.

**RESOLUTION 114-2007**

**Onondaga County Community Development Contract #76704**

On a motion by Councilor Vinzant, seconded by Councilor Clark the following resolution was PASSED  
AYES – 5 Stevens, Vinzant, Fesko, Lieberman, Clark  
NAYS – 0

Resolved to authorize Supervisor Stevens to sign the extension agreement for Onondaga County Community Development Contract #76704.

**RECESS**

Supervisor Stevens recessed the meeting at 7:25 p.m. pending the arrival of Accountant Thomas Chartrand.

**CONTINUATION OF MEETING**

Supervisor Stevens reconvened the meeting at 7:45 p.m.

**TOWN SUPERVISOR'S MONTHLY REPORT & STATEMENT**

Accountant Thomas Chartrand reviewed the October 2007 Town Supervisor's Report. All is in order. Justice Court fines are \$380 above the expected revenue. Reimbursement from Spafford Fire District for a driveway culvert pipe has been received. The RF consultant was paid out of the escrow account and the balance in the account was returned to Verizon.

**SOAWD BILLS**

Mr. Chartrand explained he is working to obtain short term funding from New York State Environmental Facilities Corporation (EFC) to satisfy the bills submitted since the Bond Anticipation Note was depleted. Copies of bills that have been paid, as well as those submitted tonight; need to be submitted to EFC for verification before releasing the interest fee loan. Mr. Chartrand recommends paying the Bond Anticipation Note before paying the various bills associated with SOAWD.

**RESOLUTION 115-2007**

**Water District Expenses**

On a motion by Councilor Fesko, seconded by Councilor Lieberman the following resolution was

**PASSED**

**AYES – 5** Stevens, Vinzant, Fesko, Lieberman, Clark

**NAYS – 0**

Resolved subject to approval by the Town Board of Marcellus and the Town Board of Otisco the bills in relation to the establishment of the Spafford Area Water District are to be paid when funds are available in the following amounts: Capital Fund #46 through #48 \$21,171.44

**GRANGE RESTORATION PROJECT**

Empire Mechanical had submitted a bill at October's Town Board meeting for \$20,530 for contracted Borodino Grange Restoration work. Due to the previously discussed expiration and extension of OCCD Contract #76704; OCCD has asked that the Town of Spafford pay the bill prior to reimbursement from OCCD. Mr. Chartrand recommended paying the bill; provided reimbursement from OCCD occur prior to December 31, 2007.

**RESOLUTION 116-2007**

**Empire Mechanical Bill**

On a motion by Councilor Lieberman, seconded by Councilor Fesko the following resolution was

**PASSED**

**AYES – 5** Stevens, Vinzant, Fesko, Lieberman, Clark

**NAYS – 0**

Resolved to authorize payment of General Fund voucher #330 in the amount of \$20,530 to Empire Mechanical for contracted work on the Borodino Grange Restoration project prior to reimbursement from Onondaga County Community Development.

**JOSEPH BRILLO INVOICE**

An invoice was received from Joseph Brillo for installation of the septic system for the Borodino Grange.

**RESOLUTION 117-2007**

**Joseph Brillo Invoice**

On a motion by Councilor Lieberman, seconded by Councilor Clark the following resolution was

PASSED      AYES – 5      Stevens, Vinzant, Fesko, Lieberman, Clark  
NAYS – 0

Resolved to authorize payment of General Fund voucher #367 in the amount of \$14,000 to Joseph Brillo for installation of the septic system for the Borodino Grange.

**TOWN SUPERVISOR'S MONTHLY REPORT & STATEMENT**

A motion to accept the Town Supervisor's Monthly Report & Statement as presented was made by Councilor Lieberman, seconded by Councilor Fesko. The motion PASSED. AYES – 5, NAYS – 0.

**PROPOSED LOCAL LAW #2007-3 AMENDING LOCAL LAW #2007-2**

A proposal for an amendment to Local Law #2007-2 has been provided to the Town Board for review. Proposed Local Law 32007-3 amends Local Law #2007-2 of the Town of Spafford to require the submission to the Building Department of an additional survey following the construction of a foundation for any structure that requires a Building Permit. A public hearing needs to be scheduled.

**RESOLUTION 118-2007**

**Schedule Public Hearing**

On a motion by Councilor Lieberman, seconded by Councilor Fesko the following resolution was

PASSED      AYES – 5      Stevens, Vinzant, Fesko, Lieberman, Clark  
NAYS – 0

Resolved to conduct a public hearing on Thursday, November 29, 2007 at 7 p.m. at the Spafford Town Hall.

**PUBLIC HEARING – 2008 Town of Spafford Budget**

At 8:02 p.m. a motion to open the public hearing for the discussion and review of proposed 2008 Town of Spafford Budget was made by Councilor Lieberman, seconded by Councilor Vinzant. The motion PASSED. AYES – 5, NAYS – 0. Town Clerk Valletta stated notice of the hearing was duly posted and published in the Town's official newspaper.

Supervisor Stevens asked for questions regarding the proposed 2008 Town of Spafford Budget.

Supervisor Stevens reviewed some items in the budget:

- \* There is a decrease in the tax rate this year.
- \* Attorney fees were increased, there are some zoning issues. The zoning code is being rewritten. It is a long process and when complete, there will be a public hearing.
- \* The Spafford Fire Commissioners lowered their tax rate for 2008. Appreciation for this was extended to the Commissioners. The Town Board has no control over the Spafford Fire District budget. This year, the Commissioners were required to conduct a public hearing on the budget prior to approval.

*Robert Eibert:* Why did the attorney fees go from \$15,000 to \$40,000?

*Supervisor Webb Stevens:* As I just explained, we've got litigation that is a continuation. We've got some serious problems with zoning down on the lake. Another example: a new home built on East Lake Road and the owner decided to move the house from the original plans filed with the Town of Spafford. The neighbor is upset. We're trying to avoid litigation, but the Town attorneys are involved; which costs the Town money. Once we get the zoning code rewritten, we expect it will resolve most of these types of problems.

Once the plans are brought to the Town and approved, if the applicant walks out the door and his architect says "You could get a better view if we turn the house five degrees." They turn it five degrees and now the house is moved over ten or fifteen feet; it's not within the property setback restrictions. They build it anyway, nobody knows the difference. Then the neighbor comes and says "I think that house is in the wrong spot." We go back and find out they moved the house ten feet.

*R. Eibert:* Do you anticipate that year after year, the attorney fees will be at \$40,000 or more?

*W. Stevens:* I don't want to say that. We've had some circumstances that required the attorney to write these laws. He's attending some of these hearings; we've needed his expertise on the legal part of things. I don't want to say what the fees may do in the future. If we can hold it to less than \$40,000 I'd be very happy. I'm not happy with what it is, but I can't do anything about it; we have to protect the Town and we seem to have more litigation right now. Things are being brought to our attention. We've had people come in that want to build a little shed next to a property line, which the zoning says has to be four feet from the line. We go back six months later and it's turned into a house; it's got two stories, a bathroom, a septic system, a kitchen and a bedroom. We have to get that kind of thing straightened out. It takes attorneys to do that. People are becoming more aware of what is going on around them, the area is becoming more populated, and the open space is starting to shrink.

*R. Eibert:* Well, they use my place for a park, and I don't complain.

*W. Stevens:* For a park?

*R. Eibert:* Sure. Snowmobilers or hunters.

*W. Stevens:* Oh, well, I know, I know. If you want to post it, put up signs...keep them out. Prosecute them. The DEC will have them arrested.

*R. Eibert:* Isn't that what people want though? They want the wide open space. I've got an income that doesn't go up like the attorney's income every year. How long do you think I'm going to stay here?

*W. Stevens:* I can understand that Bob, but are we going to regress and not have any zoning at all? We have a zoning law now and we have to deal with what it is. Or are we going to move along? That's what the public has to decide. If they don't want to spend this money on the attorney fees and let the zoning just run wherever it runs to, then tell me.

*R. Eibert:* I just think that \$15,000 to \$40,000 is a big jump.

*W. Stevens:* I agree; but we're in need of attorney advice on these zoning problems. Attorneys are expensive and we can't progress without them.

*T. Chartrand:* You might want to add that in 2006 we spent nearly \$22,000 in attorney fees. When the 2007 budget was set, the attorney fees were underestimated. The Town has already spent \$20,000 in attorney fees this year; it will probably be very close to \$40,000 for 2007. At the first budget workshop, I recommended to the Town Board that the amount be increased to \$40,000; which is more in line with what is actually being spent this year. Perhaps, next year the amount can be reduced, if 2008 isn't as heavy on the attorney fees. I recommended the Town have the \$40,000 in the attorney line to avoid cutting funds from another area or project in order to pay the attorney.

*W. Stevens:* I think if we get the zoning laws more in line with where they should be, we probably would reduce the attorney fees. We'll probably get the attorney fees down in the future, but I don't want to promise that. Any other questions?

*T. Chartrand:* I have some comments.

*W. Stevens:* Go ahead.

*T. Chartrand:* It's only on the water district. We received a letter from our Bond Counsel. As you recall, at our workshops we discussed the fact that we had a letter from the EFC stating that on January 11, 2009 we need to make a payment of \$191,000. The Bond Counsel has recommended that since we have not started drawing the EFC funds at this point and we most likely won't until very late in this year, we should base our payment on what we're actually going to be drawing, which is going to be around \$80,000. According to that approach, it yields a minimum payment of \$24,000; which is more in line with what the EFC is going to be requiring from us.

*W. Stevens:* For all three towns?

*T. Chartrand:* For all three towns.

*W. Stevens:* That's a proportion, percentage-wise, of what we're going to be using? And I'm not sure what our percentage is.

*T. Chartrand:* Well, every unit should be paying the same dollar amount, anyway; so what I've done is broken it out that way.

*W. Stevens:* What have we got, about 100 units?

*T. Chartrand:* I have, probably not the very latest, but: Town of Marcellus is 109; Town of Otisco has 316; and the other 100 is yours. What I'm proposing is changing the budget from \$363 per unit down to \$45 per unit which would raise approximately \$25,000. The Spafford residents share would be \$5,841. Now, there's still some changes going on, but that's why I'm recommending the \$25,000 instead of the \$24,000; in case we lose some units.

*W. Stevens:* I don't see any problem with that; putting it back down to \$25,000. That's what you want?

*T. Chartrand:* Right. Collect in total \$25,000; each unit would pay this year \$45 per unit.

*W. Stevens:* That's a lot better than \$363 per unit. They ought to be happy over that.

*T. Chartrand:* Well, all we're really doing is pushing everything forward a year. It's not really going to change; but since there's no water flowing it's probably a little bit more palatable. And most likely, when people see that on their bill, it will remind them of what's coming and to be vigilant about it as well as if they have the wrong units classified, hopefully they will contact our assessor and make sure that's corrected. So, that would be something when you adopt your budget, normally you would adopt your General and Highway; and then you would adopt this water district separately.

*W. Stevens:* You can change the water district once we approve this? To the \$25,000 instead of the \$191,000?

*T. Chartrand:* Correct.

*W. Stevens:* Are there any other comments on the budget?

*Councilor Ken Lieberman:* I have a comment.

*W. Stevens:* Okay.

*K. Lieberman:* I think it's really great that we, the Town, don't have an increase. If you look at the paper today, a lot of towns are listed, there are a lot of extra expenses; with fuel and energy. And for us to have no increase for General and Highway; that's a great thing. It cost us a lot more to operate things this year than last year. I thank the Fire District for doing a good job and providing a good service and having a decrease. That's all great stuff.

*W. Stevens:* Any other comments?

*Kathy Adams:* Yes, I'm interested in how did the budget get decreased? Particularly the Highway machinery; you brought that down quite a lot. How did that happen?

*W. Stevens:* There isn't a purchase of any new Highway equipment this year. We've got some pretty good equipment over there; and the Board didn't feel it was necessary this year to purchase anything. We also have a large project coming up on Spafford Landing and we're trying to put that money together and we did save some of the Highway money for that project; but mostly it came from not purchasing new equipment.

*T. Chartrand:* We also changed the way we bought one of our vehicles on a lease purchase program. So there is actually \$36,000 that's paying for new equipment in the budget; it's just on a different line because that's the way the State specifies it. Once you enter into a lease-purchase contract you have to show those funds in a separate line, you can't show them under new equipment anymore. But there is no scheduled equipment purchase for 2008 at this point.

*W. Stevens:* Any other questions? Okay, if not I would like to make a motion to close the public hearing.

*Councilor Vinzant:* I second the motion.

The motion PASSED. AYES – 5, NAYS – 0.

RESOLUTION 119-2007

**2008 Combined General and Highway Budget**

On a motion by Councilor Fesko, seconded by Councilor Lieberman the following resolution was PASSED  
AYES – 5 Stevens, Vinzant, Fesko, Lieberman, Clark  
NAYS – 0

Resolved to adopt the preliminary 2008 Combined General and Highway Budget for the Town of Spafford as the actual budget for the fiscal year 2008.

RESOLUTION 120-2007

**SOAWD Unit Charge**

On a motion by Councilor Vinzant, seconded by Councilor Clark the following resolution was PASSED  
AYES – 5 Stevens, Vinzant, Fesko, Lieberman, Clark  
NAYS – 0

Resolved to set the per unit charge for the Southern Onondaga Area Water District at \$45 per unit for the fiscal year 2008.

**ASSESSOR INTERVIEW COMMITTEE**

Supervisor Stevens asked Councilor Fesko to provide a report of the meetings and interviews held by the Assessor Interview Committee. Councilor Fesko stated the start of the meetings was delayed due to the committee chair being unavailable during October. The meetings and interviews have been conducted. The committee narrowed the candidates to four, then after much discussion, two candidates were decided upon.

The Board agreed to interview the final candidates at a special meeting on November 29, 2007. The Town Clerk is asked to send letters of appreciation to the applicants and the committee members as well as to Mr. Robert McKenty, who is resigning his position on the Zoning Board of Appeals effective December 31, 2007.

**Adjournment**

On a motion by Councilor Lieberman, seconded by Councilor Vinzant the meeting adjourned at 8:25 p.m. subject to the Call of the Town Clerk. Carried unanimously.

Respectfully submitted by,

Next meeting to be held  
November 29, 2007 @ 7 p.m.  
@ Spafford Town Hall

Lisa M. Valletta  
Town Clerk  
Town of Spafford