

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. Accountant Thomas Chartrand Town Attorney Matt Kerwin, and Town Clerk Lisa Valletta were also present. The Pledge of Allegiance was recited.

JUNE 14, 2007 TOWN BOARD MINUTES

A motion to accept the minutes of June 14, 2007 Town Board meeting as submitted by the Town Clerk was made by Councilor Fesko, seconded by Councilor Vinzant. The motion PASSED. AYES – 5, NAYS – 0.

RESOLUTION 72-2007

Audit of Claims

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

Resolved the bills on Abstract #7, be paid in the following amounts:

General Fund	#193 through # 227	\$17,403.83
Highway Fund	#100 through # 113	\$20,105.77

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

RESOLUTION 73-2007

Water District Expenses

On a motion by Councilor Vinzant, seconded by Councilor Fesko 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 in the following amounts:

Capital Fund	#30 through #35	\$32,231.69
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SOUTHERN ONONDAGA AREA WATER DISTRICT

Accountant Thomas Chartrand reported following the Water District bills listed above, there is a balance of just over \$70,000 in the Bond Note. Mr. Chartrand will contact the bank to negotiate extension of the Bond Anticipation Note to 12 months instead of the original 9 months. Attorney Bernard Reagan is looking for additional funding for bills after the Bond Note is depleted. Mr. Reagan is confirming that all legal descriptions of the properties in the Water District are filed with Onondaga County to allow coding of the properties to enable the necessary billing.

TOWN SUPERVISOR'S MONTHLY REPORT & STATEMENT

Mr. Chartrand reviewed the June 2007 Town Supervisor's Report. Revenues are doing well. The second half of the County Plow Contract fee has been received. The franchise fees received have exceeded the anticipated amount. No out of the ordinary expenses for this time of year. A motion to accept the Town Supervisor's Report as presented was made by Councilor Vinzant, seconded by Councilor Lieberman. The motion PASSED. AYES – 5, NAYS – 0.

TOWN CLERK'S REPORT

When the interest was renegotiated with Alliance Bank, there is now interest applied to the Town Clerk's account as well. This interest is reflected in the Town Clerk's monthly report.

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

JUSTICE TRAINING

Town Justice Schinaman requests authorization for payment of his attendance at the annual training conference in Westchester. The hotel cost is \$600 for three nights and conference registration fee is \$50.

RESOLUTION 74-2007

Justice Training Conference

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

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

Resolved to authorize payment for Justice Schinaman hotel and conference costs for attendance at the annual Magistrates Conference in Westchester as described above.

RESOLUTION 75-2007

Justice Court Grant Application

WHEREAS, Town Justice Jerome Schinaman has presented a request to submit an application for grant moneys to purchase equipment for the Town Justice Court; and

WHEREAS, the application requires the approval of the sitting Town Board for submission;

NOW, THEREFORE, by a motion of Councilor Vinzant, seconded by Councilor Clark,

BE IT RESOLVED, that the Justice Court Assistance Program Grant Program Application prepared by Jerome Schinaman, Town Justice for the Town of Spafford is hereby approved for submission to the State of New York Unified Court System Justice Court Assistance Program.

Webb A. Stevens	aye	Ken Lieberman	aye
Bill Vinzant	aye	Merrill Clark	aye
Richard Fesko	aye		

RESOLUTION 76-2007

Advertise for Bids for SOAWD Construction

Councilor Lieberman presented the following resolution and moved that it be adopted.

IN THE MATTER OF ADVERTISING FOR BIDS FOR THE CONSTRUCTION OF WATER LINES AND DISTRIBUTION SYSTEM FOR THE SOUTHERN ONONDAGA (SPAFFORD) WATER DISTRICT AND CONSTRUCT AN INTER-MUNICIPAL WATER DISTRIBUTION SYSTEM FOR WATER DISTRICTS IN SPAFFORD, MARCELLUS AND OTISCO.

WHEREAS, the Town Board of the Town of Spafford ("Spafford") by resolution duly adopted on August 25, 2006 previously approved the creation of the Southern Onondaga Area (Spafford) Water District (the "Spafford Water District"); and

WHEREAS, the Town Board of the Town of Marcellus ("Marcellus") by resolution duly adopted on August 24, 2006 previously approved the creation of the Southern Onondaga Area (Marcellus) Water District (the "Marcellus Water District"); and

WHEREAS, the Town Board of the Town of Otisco ("Otisco" and, collectively with Spafford and Marcellus, the "Towns") by resolution duly adopted on August 14, 2006 previously approved the creation of the Southern Onondaga Area (Otisco) Water District (the "Otisco Water District" and, collectively with the Spafford Water District and the Marcellus Water District, the "Water Districts"); and

WHEREAS, Spafford recently received a notice from the New York State Department of Audit and Control, Albany, New York (the "Comptroller"), dated August 2, 2006, stating that the Comptroller had approved the formation of the Spafford Water District; and

WHEREAS, the Town Board of Spafford has reviewed a completed Full Environmental Assessment Form, and on the basis of such review, issued a negative declaration determining that the Improvements to be undertaken in furtherance of the purpose to be financed pursuant to this Resolution will not have a significant effect on the environment.

NOW THEREFORE BE IT RESOLVED BY THIS TOWN BOARD OF SPAFFORD AS FOLLOWS:

1. Bids shall be solicited for Job No. 823.004 as approved by Barton & Loguidice, P.C., engineers for the project.
2. The following contracts will be bid:
 - a. Contract No. 1: Water Mains (General Construction)
 - b. Contract No. 2A: Booster Pump Station (General Construction)
 - c. Contract No. 2B: Booster Pump Station (Electrical Construction)
 - d. Contract No. 3: 388,000 Gallon Water Storage Tank (General Construction)

The Motion having been duly seconded by Councilor Vinzant, it was adopted and the following votes were cast: AYES – 5, NAYS – 0.

RESOLUTION 77-2007

Southern Onondaga Area Water District

IN THE MATTER OF THE ESTABLISHMENT OF THE SOUTHERN ONONDAGA (SPAFFORD) WATER DISTRICT, COUNTY OF ONONDAGA AND STATE OF NEW YORK, PURSUANT TO ARTICLE 12 OF THE TOWN LAW.

This Agreement, made this 12th day of July, 2007, between the Town of Spafford, hereinafter called the Water District, in accordance with the Agreement of Municipal Cooperation for Construction, Financing, Operation and Maintenance of an Inter-Town Water System for the Southern Onondaga Area dated the 12th day

of October, 2006 and William D. and Kathleen Walsh of 215 Parsons Dr., Syracuse, NY 13219 and Larry D. and Nancy Lynn Hart of 2288 Route 174, Marietta, NY 13110, hereinafter called "the Property Owners".

WHEREAS, the Town of Spafford has established the above mentioned water district as shown on a Map, Plan and Report prepared by Barton & Loguidice dated August 2003 and revised March 2005. Copy of said Map, Plan and Report is on file with the Town Clerk, Town of Spafford Town Hall, 1984 Route 174, Skaneateles, New York, 13152.

WHEREAS, the Water District in order to construct water lines in the above referred to Water District, it is necessary to reroute traffic on Olanco Road in the Town of Spafford.

WHEREAS, the Property Owners are owners of land leading to Olanco Road.

WHEREAS, the property owners hereby grant a temporary easement for ingress and egress to the residents of Olanco Road and their guests over the following described parcel of land, See Schedule "A", for the purposes of ingress and egress. Grant of the temporary easement shall terminate upon completion of construction of facilities on Olanco Road. Said easement shall be for private vehicles only and may not be used by any construction vehicles or heavy equipment that might harm the existing road.

Regarding the operations and responsibilities concerning this Agreement, the Water District agrees to indemnify, defend and hold harmless the Property Owners, agents and employees against all claims to the fullest extent allowed by law.

The Water District further covenants and agrees to obtain the necessary insurance coverage to effectuate this Hold Harmless clause. Nothing contained herein, including but not limited to the expiration of any insurance policy, shall absolve the Water District from its obligation under this Hold Harmless clause.

NOW, THEREFORE, on a motion made by Councilman Merrill Clark and seconded by Councilman Ken Lieberman .

BE IT RESOLVED, that the Town Board of the Town of Spafford approves the above Resolution and Agreement. The Town Board hereby authorizes Town Supervisor Webb A. Stevens to sign said Agreement.

Webb Stevens	aye	Bill Vinzant	aye
Richard Fesko	aye	Ken Lieberman	aye
Merrill Clark	aye		

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Spafford, County of Onondaga and State of New York, being part of Lot 77 in said Town bounded and described as follows:

BEGINNING at the intersection of the centerline of New York State Route 174 and the North line of Lot 77 and running; thence S 83° 20' 00" E, 795.2 feet more or less to the Westerly line of Olanco Road; thence S 08° 10' 00" E along the Westerly line of Olanco Road 20 feet to a point; thence N 83° 20' 00" W parallel to the first course above described and 20 feet distant 795.2 feet more or less to the centerline of New York State Route 174; thence N 05° 20' 00" E 20 feet along the centerline of New York State Route 174 to the point and place of beginning.

SUBJECT to any easements and restrictions of record.

CLEAN UP ON BORODINO CORNER

As discussed at a previous Town Board meeting, the northeast corner in Borodino needs to be cleaned. At the June 12, 2007 meeting, one estimate for the work was received from Borotek, Inc. That estimate was \$2,450. The Town Board agreed not to accept the estimate. Supervisor Stevens has received another estimate for the work from Dobrovosky Excavation in the amount of \$1,750. Funds to pay for this clean up would require a transfer from the Contingent fund. There was a discussion of the work that needs to be done.

RESOLUTION 81-2007

Clean Up On Borodino Corner

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

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

Resolved to accept the estimate from Dobrovosky Excavation for the clean up of the northeast corner in Borodino. The work to be accomplished as specified by Supervisor Stevens in the amount of \$1,750.

EVENT SIGN

Supervisor Stevens presented a design proposal for sign to be located on the northeast corner in Borodino. This sign will be to advertise events sponsored by local groups and organizations, as well as Town events.

PUBLIC HEARING

At 7:40 p.m. Supervisor Stevens opened the public hearing for discussion of proposed Local Law 3-2007 for unsafe buildings and structures. Said hearing was duly advertised in the official newspaper for the Town, and notice was posted on the public bulletin board. Additionally, notice was placed in the *Skaneateles/Marcellus Pennysaver*, the *Tully Pennywise*, and the *Cortland Standard*. Proposed Local Law 2007-2 for requirement of submission of an additional survey following construction of a foundation has been withdrawn from this evening's public hearing.

Town Attorney Matt Kerwin stated the proposed local law 3-2007 had been submitted to Onondaga County Planning (OCP) for a determination. OCP has determined that enactment of said local law will have no adverse effects and may be acted upon solely by the Town Board of the Town of Spafford.

Supervisor Stevens explained the proposed local law for unsafe buildings and structures was originally presented to the Town Board and the Town in February 2007. At that time, it was decided the proposed law was too restrictive. The proposed law has been rewritten and this new version is under review at this hearing.

Supervisor Stevens asked if there were any questions on proposed Local Law 3-2007.

The following comments are not verbatim; they are summarized versions of the actual words used by the speakers.

Peter Payntar: Regarding "Abandonment", if the property is determined to be abandoned, if nothing is done by the property owner, what action will the Town be able to take?

Matt Kerwin: This proposal does not focus on abandoned structures and what steps may be taken. If the building is maintained and safe, the Town would most likely be reluctant to take any action against the property owner. Under this proposed law, if a building is unsafe, the Building Inspector would commission a report to the Town Board, who would then determine whether or not to take action.

P. Payntar: So if a building is an eyesore and is unsafe, the Code Enforcement Officer (CEO) would inspect it and the court would have the owner clean it up.

M. Kerwin: The Code Enforcement personnel would review the criteria set forth in this local law and determine if the structure qualifies as an unsafe building. If it does, they will commission a report; the report would go to the Town Board; and the Town Board will act from there, if they so decide. This proposed law does not mean that if a building is abandoned for three years it's coming down.

P. Payntar: This proposed law would fix some of the problems we're trying to correct in the Town.

Barbara Randall: I don't see where this law explains how the Code Enforcement personnel would receive the initial request to determine if a structure is unsafe.

Supervisor Webb Stevens: A complaint would be filed.

B. Randall: Anyone can file a complaint? In writing, or could call up?

W. Stevens: I believe it should be in writing. Then we've got something to put in the file.

Gianfranco Frittelli: You have a form for these complaints?

W. Stevens (to the Deputy Town Clerk): Kim, do we have a form?

Kim Read: Yes.

B. Randall: So the complaint would have to be in writing? To be proper, someone would have to come in to get the form and fill in the details.

W. Stevens: Well, if they're willing to make a phone call, they ought to be willing to sign their name on the form.

B. Randall: I've got no problem with that; I was just asking for clarification. My other question is – After a complaint is submitted, does the CEO have the right to go on the property and make an inspection?

W. Stevens: I would say he does have that right; because of the authority of his position. *(To M. Kerwin):* That's a granted authority, isn't it?

M. Kerwin: I would have to defer to Doug *(Building Inspector Doug Staley)* for clarification. It may be set forth in the State code. I would think he could see from the road, or the front yard, whether or not the structure is a nuisance or a threat to the community.

B. Randall: What if the structure is not visible from the street; perhaps it's surrounded by trees?

W. Stevens: We'll have to confirm and clarify the Inspector's authority to go on a property following receipt of a complaint.

Jeff Ireland: Are farmers exempt from this law? They are several barns in Town that occasionally may be hit by lightning.

W. Stevens: I don't think you'll find farmers are affected by this law. I discussed this concern with Billy earlier today (*Councilor Vinzant*). The Town Board would make the determination on what action is needed. I know there are farm buildings in the Town that are probably not being used and need to be repaired; a couple of places come to mind, but I'm not going to mention any names.

J. Ireland: I've got one; but the barn's not worth anything to me and it's not worth putting money into it.

W. Stevens: You just want to let it set there and fall down? But that's not what you'll do. You don't like to have that type of mess on the farm.

J. Ireland: Well, no. But when times are tough, you don't want to put money into something.....

W. Stevens: But whether we pass this law or not, you aren't going to repair the barn. You'll only let it go so far, until you get tired of it. And then you'll clean it up without the Code Officer coming around. Am I correct or am I not?

J. Ireland: That's what I would do; but there are other farmers who are just barely getting by and the only option they have is to sell land to get the money for repairs or cleaning up the structure. And nobody wants more houses in the town.

W. Stevens: I agree with that. We talked about this today. I know what the farm situation is. But there are very few farms in this town that are really in bad shape; I can think of one or two that probably have a problem. I'm not going to say we should destroy a person that's making a living and not creating any problems to the town. Not every town is a utopia, not every town is perfect. Other towns have dilapidated buildings that no one is saying anything about. Ultimately, this comes down to the Town Board as to how far this really goes.

J. Ireland: I understand that; but the next Town Board may not be as favorable.

W. Stevens: I agree with that.

J. Ireland: I think there ought to be some wording in there.

W. Stevens: I don't know if we can exempt farms. Matt?

M. Kerwin: I think you'd run into some issues of equal protection, if you exclude farms from this but you're keeping in everybody else. The way the law is drafted, it gives the Town Board discretion on whether it wants to proceed with ordering someone to repair their home or whatever structure is on their property or ordering them to take it down. And if they don't take it down, having the Town take it down and tacking it onto their assessment. It's going to be a discretionary decision by the Board. Similar laws in other areas do not exclude farms.

B. Randall: Not a farm, just an ordinary resident has a structure that the Board determines needs to come down. But they cannot afford to take it down, they are infirm. What then? Does the Town go forward, get a bid, have it taken down and assess the cost back to the property owner, which may be the end of them?

W. Stevens: That could happen; but it's up to the Town Board. I'm not going to say it wouldn't happen.

B. Randall: If the Town Board starts making decisions based on a person's ability, will that then cause some legal ramifications?

M. Kerwin: It's on a case by case basis.

B. Randall: Okay, suppose I'm here, and I can afford it; but the one down the road can't afford it. So you say to me, "You must do this." My neighbor down the road can't afford it so you say, "Well, let them go because they can't afford it."

M. Kerwin: I can't speak for how the Town is going to act.

B. Randall: Okay, just questioning it.

P. Payntar: Wouldn't it be a liability issue if a kid got into one of those buildings and got hurt? If the Town doesn't do anything the property owner would be facing a liability if someone got hurt. It would be in the property owner's best interest to keep the structures in good condition.

Unknown speaker #1: The language that dealt with affecting the value of a neighboring property is not in was removed from this law.

W. Stevens: That language was in the previous law. *(To Matt Kerwin)* Remember when we talked about lowering the value of a neighboring property. *(To the speaker)* That language is not in this version.

Unknown speaker #1: What recourse does a property owner have if a neighbor lets their property go to a point where it is unsafe? Is detracting from the value of their property? Is there any recourse? And if stated property owner makes a report to the Board and the Board chooses not to enforce the law; does that property owner then have recourse?

M. Kerwin: Anyone could challenge a decision of the Town Board; and that challenge would be decided by a judge.

Unknown speaker #1: So you'd sue?

M. Kerwin: Correct.

Unknown speaker #1: So there's no built in protection for a property owner in regards to a neighboring property? You're on your own?

M. Kerwin: Yes. But you're on your own now anyway. This law would give the Town some authority to pursue people who aren't taking care of their properties.

Unknown speaker #1: There's no time frame in between when a report is submitted and when it is acted upon. Because it's well known there is a property in Town that literally has been going on for ten years.

????: That's not because the Town hasn't been acting on it though.

Unknown speaker #1: There have been long periods of time.....

W. Stevens: That's being addressed right now, so that discussion does not need to be brought up at this meeting.

Unknown speaker #1: I asked, though, if there's a specific time frame. And there isn't, correct?

W. Stevens: No, there isn't. And I don't know that there would be. I think once the complaint is filed, the CEO would act upon it within a reasonable amount of time if it was necessary. And I'm sure it is something that would be addressed. It's not going to be one week, or three days or ten days; but it would be addressed. I can't see having a law that's not going to be addressed. But to get it tied down into a time frame, I don't believe that's necessary.

Lori Clark: My question is does it definitely have to be in writing? Because the last time I was cited, I was told it was based on a phone call.

W. Stevens: Yes, we're going to have it that it needs to be in writing.

L. Clark: Okay.

W. Stevens: If they're willing to make a phone call, they're willing to come down and sign their name.

M. Kerwin: I don't think that's the way it's stated here, though.

W. Stevens: I think it has been stated that it was needed in writing originally, am I correct Kim? The complaints?

K. Read: That I'm not sure of, but I do believe that you don't need a written complaint. It can be a phone call.

L. Clark: I don't think that's fair to the property owners. I think the you should know, in writing, who the person is that's accusing you.

W. Stevens: That's fine. I have no problem with that; does the Board?

Councilor Billy Vinzant: I will say, that in a discussion on that subject, Doug Staley told me that he had a legal obligation, not a fiduciary responsibility but a legal responsibility, to respond to all complaints, written or verbal. For what that's worth; that's Doug's interpretation.

L. Clark: Well, I think it should be in writing. It's important that it's in writing. Because a person could go all around town and say, "Oh, look at that one. Let's get this one. Let's get that one." I don't think that's fair.

W. Stevens: I agree. I don't see a problem with that. Do you see a problem, Matt?

M. Kerwin: No.

W. Stevens: I don't see a problem with putting it in writing.

P. Payntar: I was told it had to be in writing. That a phone call had to be followed with a written complaint. But it happened with me that he couldn't remember who made the phone calls and it wasn't followed up in writing. There was no record. It should be in writing.

B. Randall: Is it a difficult thing to make that small adjustment? Because it seems like it makes very good sense to me. Then it's not open to interpretation by the CEO; it's straight out.

B. Vinzant: I think that would take some looking into by Matt. It's not something I would be willing to insert now. For example, Doug's rationale was: if he was advised as to a safety hazard in Town, he had a legal liability to do something about it. And if somebody didn't write it down, he still had a legal liability to do something about it. I think it's a bigger issue than just deciding whether we wish it that way or not.

W. Stevens: Matt, put this down so we can address this at a later time – if a complaint is made by phone call it is to be followed up by a written complaint. Can we put that into general resolution and then put it into the Zoning Codes? Not insert it into this present law.

M. Kerwin: I think we could. We could also put it in this, though. We don't have to act on this tonight. If the Board decides to close the public hearing we've got a definite period of time in which we have to take action on this or decline to take action on this. If you want, I can insert that language into this law, bring it back in a month for the Board to act or not act upon at that time.

W. Stevens: Would that be another public hearing?

M. Kerwin: No. It's an insubstantial change.

W. Stevens: So you'll look into whether we can insert a complaint that is made by phone call is to be followed by a written complaint?

M. Kerwin: Yes.

Councilor Ken Lieberman: Is there anybody here that thinks it should be verbal? Or have had experience with that?

Rick Boyle: The Town would still have an obligation if it were verbal. They couldn't ignore it.

W. Stevens: We know that. But we want a

R. Boyle: I understand that, but if a person didn't send it in in writing, they'd still have to act upon the verbal; they couldn't ignore it. If it was a safety concern, it would come back to bite them. They couldn't ignore it. It would be like calling in a fire on the corner and if they said it's not in writing so we're not going to come down and look at it. Then it turns out something occurs there. Just as if there's a pothole in the road and you call up the Town DPW and say there's a hole in the road and my car's going to get a flat there unless you patch it. And you say, "Well, I'm not going to act upon it unless you put it in writing." You've got to go down and fill it. What if a kid on a bike comes by and falls in it? There's still a liability. You can say you want it, but ultimately, you're still going to have to act upon it the other way.

W. Stevens: Some of these scenarios that you have given us are kind of on the outside edge of where they're definitely going to have to do it. But if there's someone that says there's a building that they think is unsafe; it may be, it may not be. But I'm sure we would act upon it, but it would also require that you put that in writing. I don't think there should be any problem with that. Do you Matt?

M. Kerwin: I'll look into it. We're talking about the difference between an emergency and an unsafe building...

W. Stevens: That's right.

Phil Clark: A problem in the past has been inadequate record-keeping.

W. Stevens: We've taken care of that.

P. Clark: Well if you write down who makes the phone call.....

W. Stevens: What if they don't give their name? I understand, but our records are coming along very well. Kim has done a fine job with it and it's vastly improved.

P. Clark: I have a question for Matt – can the Building Inspector on this business, can he go on the property? Does it give him authority, like a court ordered search warrant, so to speak?

M. Kerwin: I don't think he has free reign to enter someone's house and inspect the structural integrity of their house, if that's what you're getting at. If Doug were here, he could answer this better than I can. He deals with this all the time. I think he may have authority to go on someone's property, but to access someone's house, I can't comment on that.

W. Stevens: I'd say no on that; unless there's a danger that can be seen from outside.

P. Payntar: The Building Inspector, that's Doug Staley. And the CEO, he just signs off. And any mistake he might make in signing off, I was told, he's backed up by the Building Inspector. Let's say someone checked something out, it's okay, and he's signed off, everything is great. Then the house burns down, and they sue the Town. Then it's settled out of court, at the taxpayer's expense. Because maybe the Building Inspector signed something he wasn't sure of.

W. Stevens: Doug Staley is the one that does the inspection; not the CEO. The CEO does not have any responsibility to approve projects independent of Doug. Doug has the final say. So if Doug approves something, it's signed off by the CEO. The CEO is the one who will sign the complaints. If you come down and file a complaint, the CEO will sign the complaint and turn it over to Doug. Doug Staley is the one who will go and inspect the property. Is that correct, Matt?

M. Kerwin: He's the guy with the training.

P. Payntar: I was told that Doug stands behind anything the CEO signs.

J. Ireland (CEO): Sure, because I'm taking Doug's word that everything is properly done. I can't say if the electrical installation was properly done, but Doug's been to school and learned all that stuff. So I take him at his word that when he inspects a building and signs off on it, that it's done right.

G. Frittelli: Then why do we have a CEO?

W. Stevens: It's a requirement by the State that we have a CEO. In most towns, the Building Inspector and the CEO are one and the same.

Councilor Merrill Clark: On page 4, number 6 - it goes back to the question Barb had, if he can go on the property. If you look at the things he's required to do; I don't think Doug could drive by a property and determine this, so unless we talk to Doug and find out what authority he has, we can't make a decision on this.

W. Stevens: That's what we discussed.

Unknown Speaker #2: Just a comment, if we'd had this law in place 5 years ago. The money we could have saved on attorney's fees could have gone to a nice playground. This law is long overdue.

W. Stevens: Any other comments or questions?

There were none.

Supervisor Stevens adjourned the public hearing at 8:12 p.m. until the August 9, 2007 Town Board meeting; permitting the Town Attorney to research and insert the requested wording.

Adjournment

On a motion by Councilor Vinzant, seconded by Councilor Lieberman the meeting adjourned at 8:15 p.m. subject to the Call of the Deputy Town Clerk. Carried unanimously.

Respectfully submitted by,

Next meeting to be held
August 9, 2007 @ 7 p.m.
@ Spafford Town Hall

Lisa M. Valletta
Town Clerk
Town of Spafford