

Resolved to authorize Accountant Thomas Chartrand to prepare a change order for North Country Contractors if needed. Further resolved to authorize Supervisor Stevens to sign said change order.

RESOLUTION 93-2009

Water District Expenses

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

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

Resolved subject to approval by the Town Board of Marcellus and the Town Board of Otisco the bills on Abstract #11 in relation to the Spafford Area Water District are to be paid, (audited abstract total to be included in December 2009 minutes).

ABSTRACT #10 – OCTOBER 8, 2009

Audited bills for Abstract #10 were as follows:

General Fund	vouchers 288 – 325	\$27,788.02
Highway Fund	vouchers 121 – 140	\$27,900.99
(Highway Fund includes Machinery & Snow bills when applicable).		
Capital Fund	voucher 39	\$50,000.00
SOAWD	voucher 7	\$59,573.33

TOWN SUPERVISOR’S MONTHLY REPORT & STATEMENT

Town Supervisor’s Monthly Report and Statement of Receipts and Payments for October 2009 was read by Accountant Thomas Chartrand and filed.

RESOLUTION 94-2009

Budget Transfer

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

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

Resolved to authorize the following Highway Fund budget transfer:

From:	DA5110.1	Repairs, Personal Services	\$5,000.00
To	DA5112.3	Improvements, Capital Outlay	\$5,000.00

A motion to accept the Town Supervisor’s Monthly Reports & Statement as presented was made by Councilor Ireland, seconded by Councilor Clark. The motion PASSED. AYES – 5, NAYS – 0.

TOWN CLERK’S REPORT

Town Clerk’s Report and Statement of Receipts and Payments for October 2009 was read. A motion to accept the Report as presented was made by Councilor Clark seconded by Councilor Fesko. The motion PASSED. AYES – 5, NAYS – 0.

CODE ENFORCEMENT OFFICER’S REPORT

Code Enforcement Officer’s Report for was read.

- Eight new permits were issued.

- One Certificate of Compliance and three Certificates of Occupancy were issued. One on the C/O's was temporary (6 months).
- Two cases were sent to the Zoning Board of Appeals
- Three Stop Work Orders were issued. All are working toward correction.
- Paperwork for the Sub Division project on Dave Hull Road is complete. The public hearing is scheduled for November 19th.
- A new Sub Division is being proposed for property on Sanctuary Lane. The proposal includes cluster housing.

A motion to accept the Code Enforcement Officer's report was made by Councilor Lieberman, seconded by Councilor Clark. The motion PASSED. AYES – 5, NAYS – 0.

SOAWD - Teal Trendowski

Mr. Trendowski, contract engineer for finalizing the Southern Onondaga Area Water District construction, presented a final report for the Board.

- . He walked the entire line to familiarize himself and check for issues.
- . The pre-construction photographs were beneficial in resolving some issues with residents.
- . A set of as-built plans will be prepared and filed with the Town of Spafford.
- . Three issues remain:
 1. A paved swale - is in discussion with the property owner
 2. Location of a fire hydrants - a proposal for the concern is being considered
 3. Drainage at Syratisco - the property owner believes more water is coming through the drainage pipe than it can handle.

Mr. Trendowski and Mr. Craig Billinson, attorney for the Town of Otisco, will follow through and present their findings to the three towns in the SOAWD.

RESOLUTION 95-2009

Additional Postage for Spafford Area Historical Society

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

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

Resolved to provide an additional \$100 for postage to the Spafford Area Historical Society.

RESOLUTION 96-2009

Tax Bill Postage

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

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

Resolved to purchase 2,000 first class stamps for mailing of the 2010 tax bills at a cost of \$880.

TAX CERTIORARI CASES

Two of the Supreme Court cases on assessment complaints have a potential for conflict of interest with Hiscock & Barclay, attorneys for the Town of Spafford. Germain & Germain is a law firm that has handled assessment cases for Hiscock & Barclay in the past and they are willing to take on these two

cases. Supervisor Stevens anticipates the rate will be the same as the agreed to rate with Hiscock & Barclay.

RESOLUTION 97-2009

Tax Certiorari Cases

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

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

Resolved to transfer two tax certiorari cases from Hiscock & Barclay to Germain & Germain.

CLUSTER HOUSING

Town Attorney Matt Kerwin provided information regarding how the Town of Spafford could address cluster housing and provide regulations for future applications that include cluster houses. There was a lengthy exchange of ideas and information. Mr. Scott Chatfield, Mr. Hal Lomann, Mr. Michael Bragman, Sr, and Mr. Michael Bragman, Jr. spoke on behalf of the Gourley proposal for cluster housing.

- Joe Vecchio asked why a 3-D model was not prepared to provide a better view for the audience.
- Kathy Adams asked what the consequences would be if a new law for cluster housing was not created. Matt Kerwin responded applications would be subject to the Town's existing sub division regulations.
- Frank Moran asked if there was a current plan for cluster housing. There is, off Sanctuary Lane. Is lake access provided? Yes, ninety-eight feet. Does cluster housing mean attached homes? No.
- Councilor Lieberman offered information he received from the Towns of Lysander and Manlius regarding their experiences with cluster housing. It was mostly positive, but he was cautioned to consider protection of environmentally sensitive. They also advised the project should be beneficial for the town, not just the developers.
- Kathy Adams asked how the town could ensure the development would not create an undue financial burden on the taxpayers - if roads or utilities are turned over to the town in the future. Scott Chatfield responded an Homeowners' Association would be formed to manage these items.
- Amy Sander asked if it was typical of cluster housing projects to push for maximum density. Michael Bragman, Sr. explained the Gourley proposal is not at maximum density which would be 30 - 40 homes.
- Mark Fohs asked what criteria the Town Board would use to approve/deny applications and what is the potential for liability or challenges to decisions. Matt Kerwin stated the any decision has the potential for being challenged; the town can try to build as tight a law as possible to minimize challenges. What about long-term (30-40 years) financial solvency of an Homeowners' Association; what would happen if the association defaults? The Town Board could request certain assurances, like a performance bond, to protect the town. Scott Chatfield added that an Homeowners' Association would be a legal organization with the ability to tax the properties within the association, comparable to a "private municipality".
- Amy Sander asked if the New York State clustering laws require a specific percentage of green space. No, that is worked out between the developer and the town.

Supervisor Stevens asked if there were any other comments on cluster housing. There were none. The Town Board agreed to meet again on December 3, 2009 at 7 p.m. for another open discussion on cluster housing. Mr. Kerwin advised the Town Board they have 62 days from receipt of a complete application to render a decision. Steve Thayer believes it is 45 days.

- Councilor Ireland is concerned that Fred Leubner is working a portion of the land the town purchased from him. Following a discussion, Councilor Fesko recommended tabling this topic. The Town Board agreed.
- Mr. Wiers asked if the Town Board will advertise the open position for Transfer Station attendant. There was a discussion of the operation of the Transfer Station.

ADJOURNMENT

A motion to adjourn the meeting at 9:32 p.m. was made by Councilor Lieberman, seconded by Councilor Fesko. The motion was carried unanimously.

Respectfully submitted by,

Next meeting to be held
Thursday, November 19, 2009 @ 7 p.m.
@ Spafford Town Hall

Lisa M. Valletta
Town Clerk
Town of Spafford