

The Town Board of the Town of Spafford assembled at the Town Hall, 1984 Route 174, Skaneateles, New York with Supervisor Webb A. Stevens presiding and the following Board members present: Councilor Ken Lieberman, Councilor Merrill Clark, and Councilor Jeff Ireland. Absent: Councilor Rick Fesko.

The following Town Officers were present: Highway Superintendent Carl Wiers, Accountant Thomas Chartrand, Town Clerk Lisa Valletta, and Code Enforcement Officer Kim Fairchild.

Supervisor Stevens called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited.

HIGHWAY SUPERINTENDENT'S REPORT

- On January 14th, Highway employee Dan Barrows was assisting with attaching a plow blade, when he complained of back pain. Mr. Barrows has been out of work since January 15 and is scheduled for an MRI exam and will visit his doctor again on February 16. At this time, it is not known when he will be able to return to work. Mr. Barrows has used all of his vacation days, sick days, and personal days in the interim. Highway Superintendent Wiers has been filing the necessary paper work with PERMA. It is possible for full reimbursement to be paid by the insurance, allowing reinstatement of Mr. Barrows used days.
- Earth Day is approaching; is the Town Board interested in authorizing participation? This would involve the use of Town equipment and manpower to transport collected refuse to the OCCRA facility in Syracuse.
- This year's CHIPS fund has decreased resulting in a decrease of 43.5% in the Town of Spafford's allocation.
- The retention basin on the north side of Collard Road had water running over the top of it this morning. It ran across Withey's field, into the ditch and continued on down. Mr. Wiers contacted Onondaga County Soil & Water to alert them of the problem.
- The drainage system at the Senior Citizen parking lot, (next to the Borodino Grange) is clogged with weeds. Highway Superintendent Wiers dug a trench to take the water away from the neighboring property.

There was a discussion of the drain system, the clog and the size of the pipe used; six (6) inch pipes were supposed to be used for the drainage. Corrective measures were also discussed.

A letter was received from Onondaga County Dept. of Transportation reporting that salt supplies are low; any additional purchases by municipalities in the County will cost \$108 per ton. Highway Superintendent Wiers explained the salt he purchased last fall is sufficient for the season, (it was purchased at \$28 per ton).

In regards to Mr. Barrows' ability to work, Highway Superintendent Wiers explained Mr. Barrows could be placed on Transitional Duty and work within the specifications of the Town's Transitional Duty Policy. There was a discussion of keeping an individual "on call" if an additional truck driver is needed during Mr. Barrows' recovery. Highway Superintendent Wiers stated he would like to have someone available if there is an emergency. Vernon Filkins was suggested as a person who could be "on call"; he used to work for the Spafford Highway Department and is familiar with the roads. Following a discussion the Board decided it is not necessary to ask Mr. Filkins to be available for call.

A motion to accept the Highway Superintendent's Report was made by Councilor Ireland, seconded by Councilor Lieberman. The motion PASSED. AYES – 4, NAYS – 0.

MINUTES

The submitted minutes of the January 8, 2008 Organizational Meeting reveal that July 4, 2009 occurs on a Saturday. Councilor Clark pointed out that the Highway Department works a four day week during

that time of year and therefore the listed holiday observance of July 3rd will occur on a non-work day. The January 8, 2008 minutes will be amended prior to posting with the following correction:

Independence Day July 4, 2009 (falls on a Saturday –Thursday will be vacation day)

A motion to accept the minutes of the January 8, 2008 Town Board meeting with the aforementioned amendment was made by Councilor Clark, seconded by Councilor Lieberman. The motion PASSED. AYES – 4, NAYS – 0.

RESOLUTION 13-2009

Audit of Claims

On a motion by Councilor Lieberman, seconded by Councilor Clark the following resolution was PASSED
AYES – 4 – Stevens, Lieberman, Clark, Ireland
NAYS – 0

Resolved the bills on Abstract # 2, be paid in the following amounts:

General Fund	# 36 through # 83	\$ 345,664.75
Highway Fund	# 10 through # 27	\$ 53,824.82

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

RESOLUTION 14-2009

Water District Expenses

On a motion by Councilor Lieberman, seconded by Councilor Ireland the following resolution was PASSED
AYES – 4 – Stevens, Lieberman, Clark, Ireland
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	# 5 through # 15	\$ 317,129.98
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BARTON & LOGUIDICE

Southern Onondaga Area Water District engineering firm Barton & Loguidice has submitted a request for additional payment. The request stated the estimated fees were based on 2007 billing rates, yet services were provided during 2008. The firm is requesting an additional \$30,000. Following a brief discussion, the Board tabled the request until March 5, 2009 when a work meeting will be held. This will provide the opportunity to seek input from the Town Boards of the Town of Marcellus and the Town of Otisco.

TOWN SUPERVISOR’S MONTHLY REPORTS & STATEMENTS

Accountant Thomas Chartrand reviewed the December 2008 Town Supervisor’s Report.

- The 2008 General Fund’s unappropriated balance is about 50% less than previous years.
- The 2008 highway funds available for carrying into the next year are about \$10,000 less than previous years.
- SOAWD has an unencumbered balance of \$1,080,257.
- The due date for payments on the bond anticipation note is in mid-January, which is a struggle with tax payments due January 31st. Mr. Chartrand is consulting with the bond counsel; a mid-year payment may enable a later payment date in the remaining years. Supervisor Stevens asked

if there would be sufficient funds to make an additional payment this year. Mr. Chartrand explained it may be possible.

- Mr. Chartrand recommended caution with expenditures this year, it is a tight budget.

END OF YEAR BUDGET TRANSFERS

Mr. Chartrand provided a list of the previously approved budget transfers for the end of 2008.

GENERAL FUND

From: A1420.4	Attorney	\$ 2,800
A9040.8	Employee Benefits	<u>4,500</u>
		<u>\$ 7,300</u>
To: A1330.4	Tax Collection	\$ 500
A1670.4	Central Printing, Contractual	800
A1920.4	Municipal Dues, Contractual	50
A8010.1	Zoning, Personal Services	50
A8020.4	Planning, Contractual	600
A8160.4	Refuse & Garbage, Contractual	4,500
A8810.4	Cemeteries, Contractual	150
A9030.8	Employee Benefits, Social Security	<u>650</u>
		<u>\$ 5,300</u>

HIGHWAY FUND

From: DA5142.1	Snow Removal, Personal Services	\$ <u>2,900</u>
		<u>\$ 2,900</u>
To: DA5130.2	Machinery, Equipment	2,500
DA5142.4	Snow Removal, Contractual	<u>400</u>
		<u>\$ 2,900</u>

Accountant Thomas Chartrand reviewed the January 2009 Town Supervisor’s Report & Statement . He recommended the following budget transfers:

GENERAL FUND

From: A599	Surplus, Justice Court Grant	\$ <u>30,035</u>
		<u>\$ 30,035</u>
To: A1110.2	Justices, Equipment	\$ <u>30,035</u>
		<u>\$ 30,035</u>

RESOLUTION 15-2009

Budget Transfers

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

AYES – 4	Stevens, Lieberman, Clark, Ireland
NAYS – 0	

Resolved to authorize a budget transfer for re appropriation of the Justice Grant funds.

TOWN SUPERVISOR'S MONTHLY REPORT & STATEMENT

A motion to accept the Town Supervisor's Monthly Reports & Statement as presented was made by Councilor Ireland seconded by Councilor Lieberman. The motion PASSED. AYES – 4, NAYS – 0.

TOWN CLERK'S REPORT

A motion to accept the Town Clerk's Cash Report as presented was made by Councilor Clark, seconded by Councilor Lieberman. The motion PASSED. AYES – 4, NAYS – 0.

SEMI-ANNUAL NEWSLETTER

There was a discussion of the costs associated with production and mailing of the semi-annual Town newsletter. A motion to omit the April newsletter was made by Councilor Ireland, seconded by Councilor Lieberman. The motion PASSED. AYES – 4, NAYS – 0.

CODE ENFORCEMENT OFFICER'S REPORT

- Four new permits were issued.
- Two final inspections for Certificates of Occupancy were completed.
- Five applications were made to the Zoning Board of Appeals.
- Two appearance tickets were issued. One has been resolved already.
- The court has closed the case on the property at 1852 East Lake Road.
- Annual Building and Code report has been filed with the State.
- The Verizon cell tower is complete and fully operational.

A motion to accept the Code Enforcement Officer's report was made by Councilor Lieberman, seconded by Councilor Clark. The motion PASSED. AYES – 4, NAYS – 0.

ALTERNATES FOR BOARD OF ASSESSMENT REVIEW

Two applications were received for the alternate positions on the Board of Assessment Review. A motion to appoint Mr. William Howley and Mr. Norman Newman as alternates for the Board of Assessment Review was made by Councilor Ireland and seconded by Councilor Clark. The motion PASSED. AYES – 4, NAYS – 0. The term of service for both alternates will end September 30, 2009.

BORODINO GRANGE

Spafford Area Historical Society (SAHS) sent a letter inviting the Town Board to use the Borodino Grange for a meeting. A motion to use the Borodino Grange for a future Town Board meeting (the actual date will be confirmed with SAHS) was made by Councilor Ireland, seconded by Councilor Clark. The motion PASSED. AYES – 4, NAYS – 0.

MOWING SPECIFICATIONS

The specifications of the annual mowing contract need to be more defined. Supervisor Stevens is to review and amend the specifications with the aid of the Town Clerk. A motion to advertise for bids on the contract after the rewrite was made by Councilor Ireland, seconded by Councilor Clark. The motion PASSED. AYES – 4, NAYS – 0. The bids will be opened at the April 9, 2009 Town Board meeting.

HIGHWAY DEPARTMENT TIME CLOCK

There was a discussion of installing a new time clock for the Highway employees. A biometric time clock that requires fingerprint identification was proposed. Guidelines for using the new time clock were discussed.

RESOLUTION 16-2009

Biometric Time Clock

On a motion by Councilor Lieberman, seconded by Councilor Clark the following resolution was PASSED
AYES – 4 – Stevens, Lieberman, Clark, Ireland
NAYS – 0

Resolved to purchase a biometric time clock for the Highway employees.

RESOLUTION 17-2009

Use Guidelines for Highway Time Clock

On a motion by Councilor Lieberman, seconded by Councilor Clark the following resolution was PASSED
AYES – 4 – Stevens, Lieberman, Clark, Ireland
NAYS – 0

Resolved the policy for the Highway employees use of the time clock is as follows:

1. The employee will lose one hour of time if he forgets to clock in upon arrival.
2. If the employee is more than one hour late clocking in, pay will start at the time he does clock in.
3. If the employee leaves the Spafford Town Highway Garage/Town Hall complex for personal time, he must clock out to leave and clock in upon his return.

VETERANS' PROPERTY TAX EXEMPTION

The Assessor has asked the Town Board consider adopting a property tax exemption for “cold war” veterans. This would apply to veterans that performed the clean up tasks after a conflict. The Board will ascertain the specifics of the proposed exemption.

RESOLUTION 18-2009

Public Hearing for Proposed Veterans' Property Tax Exemption

On a motion by Councilor Ireland, seconded by Councilor Clark the following resolution was PASSED
AYES – 4 – Stevens, Lieberman, Clark, Ireland
NAYS – 0

Resolved that the Town Board of the Town of Spafford, County of Onondaga, State of New York, shall hold a Public Hearing on said proposed veterans' property tax exemption, and that such Hearing shall be held at Town Hall of the Town of Spafford, located at 1984 Route 147, Skaneateles, New York, on March 12, 2009, at 7:00 p.m..

And be it further resolved notice of said public hearing will be duly advertised by the Town Clerk in accordance with the Open Meetings Law.

CEMETERY SIGN

It was proposed to request a quote from Moreland & Sons Signs for new metal signs that would match the shape of the damaged sign at the South Spafford Cemetery on Otisco Valley Road. Councilor Ireland will speak with Moreland & Sons Signs.

PUBLIC HEARING

At 8:27 p.m., a motion to open the public hearing for discussion of proposed Local Law 2009-1, amending Article X, Administration of the Town of Spafford Zoning Ordinance, was made by Councilor Clark, seconded by Councilor Lieberman. The motion PASSED. AYES – 4, NAYS – 0.

Supervisor Stevens read the text of the amendment: “Article X, Section 3 of the Town of Spafford Zoning Ordinance is hereby amended by revising the second paragraph to read as follows:

- B. Any violation of this Ordinance shall constitute an offense, punishable by a fine of up to \$250.00, or imprisonment for a period of up to six (6) months, or both. Each day for which such violation occurs shall constitute a separate offense. In addition, the Town may pursue such other remedies as provided by law to abate any violation.

Councilor Lieberman – *The fine was \$50, what was the prison time?*

Town Clerk Valletta – *The same, there is no change.*

Kathy Adams - *Have we ever used this?*

Supervisor Stevens – *I used it once, when I was a Magistrate, for Frank Marcheterre when he built that pole barn on Willowdale. This lets the judge set the penalty for anything up to \$250.*

There was a brief discussion of how the penalties would be applied. Application would be determined by the presiding judge.

There were no further comments or questions.

At 8:33 p.m. a motion to close the public hearing was made by Councilor Clark, seconded by Councilor Lieberman. The motion PASSED. AYES – 4, NAYS – 0.

RESOLUTION 19-2009

State Environmental Quality Review (SEQR)

On a motion by Councilor Ireland, seconded by Councilor Clark the following resolution was PASSED
AYES – 4 Stevens, Lieberman, Clark, Ireland
NAYS – 0

Resolved to declare the Town of Spafford as Lead Agency for purposes of the SEQR report. Be it further resolved that proposed Local Law 2009-1 is an unlisted action under SEQRA.

IMPACT ASSESSMENT

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF. No.

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. No.

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: No.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: No.

- C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: No.
- C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: No.
- C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: No.
- C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: No.
- C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: No.
- D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICALENVIRONMENTAL AREA (CEA)? Yes No If Yes, explain briefly: No.
- E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? Yes No If Yes, explain briefly: No.

RESOLUTION 20-2009

Impact Assessment

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

PASSED AYES – 4 Stevens, Lieberman, Clark, Ireland
NAYS – 0

Resolved the Town Board of the Town of Spafford has determined, based on a review of the EAF and the criteria contained in 6 NYCRR Section 617.7, the proposed Local Law will not result in any significant adverse environmental impacts and therefore a negative declaration should be issued.

RESOLUTION 21-2009

Local Law 2009-1 *A Local Law Amending Article X, Administration of the Town of Spafford Zoning Ordinance*

The following resolution was moved, seconded and adopted:

WHEREAS, a Local Law has been introduced before the Board, to wit: Local Law No. 2009-1, the content of which is set forth below; and

WHEREAS, the Town Board of the Town of Spafford, County of Onondaga, State of New York, held a Public Hearing on the matter of the adoption of the aforesaid Local Law, and that such Public Hearing was held at the Town Hall of the Town of Spafford, located at 1984 Route 174 in Skaneateles, County of Onondaga, State of New York, on the 12th day of February, 2009, at 7:00 p.m., and all persons in interest and citizens desiring to be heard had an opportunity to be heard;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Spafford hereby enacts Local Law No. 2009-1, the content of which is as follows:

Town of Spafford Local Law 2009-1:

A Local Law Amending Article X, Administration of the Town of Spafford Zoning Ordinance

Section 1.

Article X, Section 3 of the Town of Spafford Zoning Ordinance is hereby amended by revising the second paragraph to read as follows:

B. Any violation of this Ordinance shall constitute an offense, punishable by a fine of up to \$250.00, or imprisonment for a period of up to six (6) months, or both. Each day for which such violation occurs shall constitute a separate offense. In addition, the Town may pursue such other remedies as provided by law to abate any violation.

Section 2.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.

Lisa Valletta, Town Clerk

RESOLVED AND ORDERED, that said Local Law shall be in full force and effect as provided by law upon the filing of this Local Law with the Secretary of State.

KATHY ADAMS

Mrs. Kathy Adams submitted and reviewed a letter to the Town Board requesting a meeting to review several issues with her project for a draft comprehensive plan.

WORK SESSION

A motion to hold a Town Board work session on Thursday, March 5, 2009 to meet with Mrs. Adams was made by Councilor Ireland, seconded by Councilor Lieberman. The motion PASSED. AYES – 4, NAYS – 0.

EARTH DAY

A motion for the Town of Spafford to participate in Earth Day 2009 was made by Councilor Clark, seconded by Councilor Lieberman. The motion PASSED. AYES – 4, NAYS – 0.

ADJOURNMENT

On a motion by Councilor Lieberman, seconded by Councilor Ireland the meeting adjourned at 8:50 p. m. The motion was carried unanimously.

Respectfully submitted by,

Next meeting to be held
March 5, 2009 @ 7 p.m.
@ Spafford Town Hall
This will be a work session.

Lisa M. Valletta
Town Clerk
Town of Spafford