

REGULAR TOWN BOARD MEETING**March 11, 2004**

On Thursday, March 11, 2004 at 7:30 p.m., Town Supervisor Gordon Ireland called to order the regular session of the Spafford Town Board. Councilors Billy Vinzant, Fred Chappell, Jeffrey Ireland, and Joyce Barnett were present. Highway Superintendent Carl Wiers, Accountant Thomas Chartrand, and Town Clerk Lisa Valletta were also present.

NYS Dept. of State, Codes Division

Mr. Richard Thomson of the NYS Dept. of State, Codes Division was present. Supervisor Ireland invited Mr. Thomson to speak to the Town Board. Mr. Thomson stated he has completed the first phase of his audit of the Town of Spafford's code program. The second phase, a draft report of his observations and findings, is also complete. Mr. Thomson presented a sealed envelope containing ten copies of the draft report.

He explained the report is in draft form because the Town Supervisor and Town Board members are allowed to review the report, consult with involved Town personnel, and make comments on the contents of the draft report. The Town Supervisor and Town Board are permitted a one month period to review the draft report and submit comments; said month to expire April 8, 2004. Mr. Thomson stated that if the Town needed more time to review and respond to the draft, his office must be contacted no later than April 5, 2004 to request an extension.

Mr. Thomson stated that the draft report cannot be released under Freedom of Information Law (FOIL). He will be present at the April 8, 2004 Town Board meeting to submit his final report, which will be available to anyone.

Bills

The following bills were presented for approval, (Machinery and Snow bills are included in the Highway bills):

FUND	VOUCHER #'S	TOTAL	MOTION	SECOND	CARRIED
General aye	72-111	\$ 10,786.09	Vinzant	J. Ireland	
Highway aye	41-64	\$ 20,876.19	Chappell	Vinzant	

The bill for health insurance for the Highway Superintendent and Highway employees for the month of April 2004 has not yet been received. A motion to pay said bill upon receipt was made by Councilor Chappell and seconded by Councilor Vinzant. The motion PASSED - AYES - 5, NAYS - 0. Voting aye – G. Ireland, Vinzant, J. Ireland, Chappell, and Barnett.

Snow Fund

Supervisor Ireland inquired as to the status of the Snow fund. Accountant Thomas Chartrand explained the payroll was running a bit high due to the overtime; expenses are at an acceptable level. To date, approximately \$21,000.00 has been spent, which leaves approximately \$31,000.00 for the remainder of this season and the beginning of the 2004-2005 winter season.

Councilor Vinzant commented that the Town of Schroepel has been criticized for failure to pay attention to bills. He asked Mr. Chartrand what the Spafford Town Board can do to avoid similar accusations. Mr. Chartrand stated the Board takes the time to audit the bills at each meeting; this provides an opportunity for any questions regarding the bills. Mr. Chartrand explained that the Town of Schroepel couldn't balance the incoming with the outflow of fuel and some of the vendors were relatives of the Highway Superintendent. Supervisor Ireland added that the Board has continually kept track of the budget at the meetings.

Town Supervisor's 2003 Records

Mr. Chartrand asked if the members of the Town Board had audited the 2003 Town Supervisor's Record and signed the document, indicating they had indeed audited the record. Councilors Vinzant, Chappell, and J. Ireland stated they had audited and signed. Councilor Barnett explained she had been out of town. A motion to accept the 2003 Town Supervisor's Records as audited was made by Councilor Vinzant and seconded by Councilor Chappell. The motion PASSED - AYES - 4, NAYS - 0. Voting aye – G. Ireland, Vinzant, J. Ireland, and Chappell. Councilor Barnett abstained.

Mr. Chartrand requested a reminder be sent to the Court Clerk, Liz Hood, to turn over the Justice Cash Books for audit. Mrs. Valletta will send such a reminder.

Town Supervisor's February 2004 Report & Statement

Mr. Chartrand presented and reviewed the Town Supervisor's Report & Statement for February 2004. A motion to accept the February 2004 Report & Statement was made by Councilor Chappell and seconded by Councilor J. Ireland. The motion PASSED - AYES - 5, NAYS - 0. Voting aye – G. Ireland, Vinzant, J. Ireland, Chappell, and Barnett.

Town Clerk's February 2004 Report

Mrs. Valletta reviewed her report of fees received through her office during the month of February 2004. The total fees realized for the Town were \$1161.00. A motion to accept the February 2004 Town Clerk's Report was made by Councilor Vinzant and seconded by Councilor Barnett. The motion PASSED - AYES - 5, NAYS - 0. Voting aye – G. Ireland, Vinzant, J. Ireland, Chappell, and Barnett.

Highway Superintendent's Report

Pick Up Truck

Highway Superintendent Carl Wiers explained he is still researching the costs of a new pick up truck.

Spafford Landing Road

There was a mudslide on Spafford Landing Road; with the initial slide, the mud slid about six feet into the roadway. More soil has been slipping from the steep bank into the road over the last few days. The Highway Department has been clearing the road each time. Mr. Wiers contacted an engineer to look at the incline and make recommendations.

Becker Road

There is a section of Becker Road that passes over a ravine and the culvert pipe at that site has shifted causing the road edge to erode. The erosion is encroaching on the driving lane. Mr.

Wiers will be contacting an engineer to assess the situation and make recommendations. Mr. Wiers plan is to correct the problem once school closes for the summer.

Earth Day

Mr. Wiers stated that Earth Day will be observed in Onondaga County on April 24th this year. He asked the Town Board to grant permission for the Town of Spafford to participate in Earth Day. Councilor Barnett asked what participation entailed. Mr. Wiers explained the Spafford Highway Garage would be a drop off location for trash collected from the roadsides within the Town of Spafford and one of the Highway employees would use a Town truck to transport the trash to the OCRRA facility. A motion to allow the Town of Spafford to participate in Earth Day 2004 was made by Councilor J. Ireland and seconded by Councilor Chappell. The motion PASSED - AYES - 5, NAYS - 0. Voting aye – G. Ireland, Vinzant, J. Ireland, Chappell, and Barnett.

Spafford Landing Road – cont'

There was a discussion of the location of the mudslide on Spafford Landing Road. Mr. Wiers suggested a possible solution for the unstable bank along Spafford Landing Road would be excavation, installation of a stabilizing fabric, SI Geosolutions "HiPerform T.R.M. "Pyramat" and then hydroseeding. He will consult Mr. Doug Fisher of Onondaga County Soil & Water Conservation District on the project.

Electricity in the "Cold Storage" Building

Mr. Wiers received three estimates for the installation of four outlets and eight light fixtures in the "cold storage" building:

Gary Wilcox	\$ 776.85
JaeBee Electrical Contractors	3,150.00
Electrical Contracting, (Russ Snell)	1,773.00

A motion to hire Gary Wilcox to perform the electrical work described above was made by Councilor Chappell and seconded by Councilor Vinzant. The motion PASSED - AYES - 5, NAYS - 0. Voting aye – G. Ireland, Vinzant, J. Ireland, Chappell, and Barnett. Mr. Wiers was instructed to obtain a Certificate of Insurance from Mr. Wilcox showing he carries Worker's Compensation insurance.

Highway Employee Appreciation

Mr. Wiers requested letters of appreciation be sent to each of the Highway employees for their hard work during this long, hard winter season. The members of the Board agreed to issue such letters.

Mowing of Cemeteries, Etc

Supervisor Ireland asked if anyone was present that was interested in mowing the cemeteries in the Town of Spafford. He explained the contract would include two additional parcels, the Veterans Memorial site and the vacant parcel at the intersection of Route 174 and Route 41. Mr. Jesse Spaulding, S&P Contracting, and Mr. Julian Corsello, Landscape Systems, were both present. Supervisor Ireland asked both parties to prepare quotes for the April 8th meeting. Mr. Spaulding's bid last year was \$4,950.00 for the three cemeteries.

Borodino Landing

Mr. Frank Moran, 2708 Nunnery Road, presented a budget for reclamation/development of Borodino Landing (the Landing). Mr. Moran reviewed his proposal for the project: removal of boulders on shoreline; installation of crushed stone and sand; survey of the Landing and installation of markers and regulation signs; portable toilets; park benches; and a title search. According to Mr. Moran's research, Bockes Road, (which is the road leading to Skaneateles Lake and ends at the Landing), is 48 feet wide; approximately 27 feet are being used by the Town for the road. There was a discussion of the properties that would be affected if the full width was reclaimed and the need for a survey to determine actual boundary lines.

Mr. Richard Malcolm, Route 174, asked if the Town has liability coverage for the Landing or if it is part of N.Y.S. Recreation umbrella insurance. Supervisor Ireland explained the Landing is covered by the Town's liability insurance, but there is no recreation coverage on it. There was a discussion of the liability insurance and that the Landing is not an advertised location. The Town is not seeking to expand the Landing, but perhaps make it more convenient. Supervisor Ireland reminded those present that any project at the lake shore is highly restricted by the Syracuse Water Authority and the Dept. of Environmental Conservation.

There was a discussion of replacing the drain along one side of the Landing, as well as other characteristics of the site. Mr. Malcolm asked if a car top launch site was being considered. There was a discussion of the various possible restrictions to control any launching of boats.

Mrs. Mary Pirnie, 1572 Tracy Drive, commented on the proposal presented by Mrs. Veronica Sheahan for an unsafe buildings law. Supervisor Ireland requested Mrs. Pirnie wait until the discussion regarding the Landing was complete before the topic changes.

The discussion of the various issues regarding reclamation of the Landing continued. Councilor Barnett asked Mr. Moran if he get everything from the Town Board that he was seeking this evening. Mr. Moran responded that his proposal is a suggestion and he had presented his proposal for review by the Town Board members. Supervisor Ireland asked Mr. Moran to continue developing a definitive plan for the Landing and keep the Town Board apprised of his progress.

Minutes of the February 12, 2004 Town Board Meeting

Councilor Barnett noted that page 11, under Spafford Area Historical Society should read, ". . . are there any other grant requests from the Town of Spafford in the Senator's office." A motion to approve the February 12, 2004 minutes with the correction was made by Councilor Chappell and seconded by Councilor Vinzant. The motion PASSED - AYES - 5, NAYS - 0. Voting aye – G. Ireland, Vinzant, J. Ireland, Chappell, and Barnett.

Minutes of the February 26, 2004 Town Board Meeting

Supervisor Ireland noted that page 4, paragraph 3 should read, ". . . allow access for a new septic system and provide needed space for parking" Mrs. Lauri Clark commented on the confusion regarding the grange building and that it had not been condemned. Page 4, paragraph 2 through 4 clearly addresses Mrs. Clark's concerns and dispels any confusion. A motion to approve the February 26, 2004 minutes with the correction was made by Councilor J. Ireland and seconded by Councilor Vinzant. The motion PASSED - AYES - 5, NAYS - 0. Voting aye – G. Ireland, Vinzant, J. Ireland, Chappell, and Barnett.

Memorial Day Observance Committee

Supervisor Ireland explained to the Board that the following individuals will be coordinating a service for Memorial Day at the Veterans Memorial site: Mr. Bill Case, Mrs. Sue Underwood, Mr. Merrill Clark, Mr. “Woody” Woodmansee, and Mr. Fred Chappell.

Proposal for Unsafe Building Law

Supervisor Ireland asked if all of the Board members had the opportunity to review the proposal submitted by Mr. and Mrs. Pirnie for an unsafe building law. All Board members indicated they had read the proposal. Mrs. Pirnie stated Mrs. Veronica Sheahan had written the original proposal and she requests the Town Board draft such a law. Councilor Barnett complimented the Pirnies for their efforts.

Councilor Vinzant commented that while the proposal “looks great on paper”, his house would fall under the guidelines outlined in the proposed law. His basement has water in the spring, as do many homes in Town. Also, his barn is an historic building and was originally built with ½” gaps to allow corn to dry. These same gaps fall under the guides in the proposal as well. Councilor Vinzant opined that the proposal was not well thought out; consideration for the age of many buildings in Town as well as the financial situation of some residents was not made.

Mrs. Pirnie stated she and Mr. Pirnie would not rework the proposal, it is merely to show what could be written; fire and health hazards are not addressed in the proposal. She commented the Town Board should instruct the Town Attorney to draft an all encompassing law.

Supervisor Ireland explained that not all neighboring towns have such a local law; usually the situations described in the proposal are addressed through the New York State Codes and the local Zoning laws.

There was a discussion of the proposal.

Code Enforcement Complaints

Mr. Peter Payntar, 1940 East Lake Road, stated that he recalled Mr. Richard Thomson, NYS Codes Division, explaining that complaints are to be presented to Councilor Chappell, as Code Enforcement Officer. There was a discussion of the complaint filing procedure: completed complaint forms are to be delivered to the Building Department clerk. They are to be reviewed by Mr. Chappell and Mr. Staley, signature lines are present to record said reviews.

Town Justice John Yuhas

Mr. Payntar asked if Town Justice Yuhas would be audited before he leaves office. Supervisor Ireland explained that an audit will be conducted. There was a discussion regarding court procedures. Supervisor Ireland explained the Town Board does not oversee the Town Court; they are separate branches of the Town government.

Supervisor Ireland stated there will be an informational hearing scheduled for Spafford residents to meet the new Town Justice; that hearing will be the time to clarify court procedures. The Town Attorney will meet with the new Justice to review past issues that have been in court and may still be current. Mr. Malcolm asked if notice of the hearing would be advertised. Mrs. Valletta responded that notice of hearings are published in the *Skaneateles Press*.

Mrs. Liz Hood, current Court Clerk, will notify the various affected agencies that the Spafford Town Court will be closed during the month of April.

There was a brief discussion of the appropriateness of some comments being made during the meeting.

Grange Restoration Grant

Supervisor Ireland opened the topic of the grant for restoration work at the Grange. Councilor Barnett asked if the grant was posted on the agenda for this meeting. Supervisor Ireland reminded Councilor Barnett of his authority to put items on the agenda.

Supervisor Ireland explained he received a call from the Onondaga County Community Development Division (Community Development). They stated they requested information from SAHS a month previously and still had not received the information. Councilor Barnett explained she spoke with Mr. Richard Ladd of New York State Historic Preservation Office, (SHPO) and he said nothing about lacking information.

Supervisor Ireland stated it was Community Development that was seeking additional information. The contract with Community Development will not be executed until they are satisfied with the information provided. They are requesting additional information and it is in the best interest of the restoration project to respond to the request quickly. Supervisor Ireland suggested SAHS determine what Community Development needs and who can provide it. Councilor Barnett replied that a response to Community Development's request is in progress and Mr. Lord seemed unconcerned with any additional information. Supervisor Ireland repeated that it is Community Development seeking the information.

There was a discussion of the restoration project and differing views of SAHS and the Town Board. Supervisor Ireland commented that Councilor Barnett has been making statements to various parties that the Town Board is against the restoration project, so the Grange building may have to be sold. Councilor Barnett responded that after reviewing the minutes of the past three Town Board meetings, there were several instances of Supervisor Ireland and Councilor Vinzant finding problems with the building and the project. There was a discussion of some of the alleged problems: Fire Code violations were found during a regular inspection, this did not originate with the Town Board; it was suggested that SAHS initiate the process of procuring a building permit for the restoration work, said process would require approval by Onondaga County Health Department of the septic system.

Mrs. Clark commented the Grange could not be sold due to the type of building it is and a contract with New York State Historical Society. If SAHS defaults, the building is turned over to the next largest society in the area.

Councilor Barnett commented that she is convinced by the actions of the Town Board that they do not support SAHS or the restoration of the Grange. There was a discussion of Town Board Resolution #6-2004 declaring the Town Board does recognize the Grange as an historic building and the restoration of said Grange to be "a worthy pursuit". The discussion included statements regarding the possible purchase of the property next to the Grange to allow space for parking and possible septic renovation. Councilor Barnett asked if her perception is incorrect regarding the Town Board placing obstacles in the way of restoration of the Grange. Supervisor Ireland agreed that her perception is incorrect. Councilor Barnett asked if the Town Board wanted the restoration project to continue. Supervisor Ireland responded the Town Board would like to see the restoration of the Grange continue. Councilor Vinzant commented he believes SAHS made an excellent decision appointing Mr. Vic Sayko as chairman of the Restoration Committee. Councilor Barnett explained that Mr. Sayko is working with Crawford & Stearns and they will reply to Community Development's request for additional information.

Supervisor Ireland added that in September 2002 a letter was received from Nina Andon-McLane of Community Development regarding the E.D.I. grant. The letter explained that work to be covered by the grant was not to begin, nor money spent that would later be applied towards the grant until all approvals of the grant are in place.

Adjournment

A motion to adjourn the meeting at 9:20 p.m. was made by Councilor J. Ireland and seconded by Councilor Chappell. The motion PASSED - AYES - 5, NAYS - 0. Voting aye - G. Ireland, Vinzant, J. Ireland, Chappell, and Barnett.

Any corrections will be posted in the April 2004 minutes.