

At 7:00 p.m. Supervisor Webb A. Stevens called to order the regular monthly meeting of the Spafford Town Board. Councilors Bill Vinzant, Rick Fesko, and Ken Lieberman were present. Highway Superintendent Carl Wiers, Accountant Thomas Chartrand, Assessor Robert Brown, Water District Attorney Bernard Reagan and Town Clerk Lisa Valletta were also present.

Supervisor Stevens explained the public hearing scheduled for this evening for review of proposed Local Law 2006-1, adoption of NYS Uniform Fire Prevention and Building Codes, would be postponed due to some changes requested by the Town Board. The hearing will be rescheduled for November 9, 2006.

HIGHWAY SUPERINTENDENT’S REPORT

NIMS

Highway Superintendent Wiers explained the Town of Spafford is not in compliance with NIMS yet. Even though, several individuals have completed the first two courses as required, proof of completion needs to be filed with Onondaga County Emergency Management Division.

RESOLUTION 86-2006

Adoption of NIMS into Town of Spafford Disaster Plan

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

Resolved to adopt the National Incident Management System as part of the Town of Spafford Disaster Plan.

- The new trucks are now at Stadium International; Mr. Wiers has inspected the trucks to ensure they meet the Town of Spafford’s specifications. Spafford Highway employees will be driving the trucks to Watertown for installation of the plow equipment. They expect to have the trucks ready in two weeks.
- The new payloader has been ordered; expected delivery is mid-January.
- The winter supply of salt and sand is here.
- Seasonal roads list:
 - Bacon Hill Road - from the end of the pavement near Route 41 to Holzworth Road
 - Bromley Road – from Town line to the dead end
 - Covey Road - entire length of road
 - Merrill Road – entire length of road
 - Morris Run road - entire length
 - Ten Mile Point - entire length
 - Ripley Hill Road - from Cold Brook Road to the first house on the south end

Mr. Wiers explained Dave Hull Road had been a seasonal road until this year; construction of a new house on Dave Hull Road obligates keeping the road open. There are no homes on Merrill Road, nor is it used by the school buses; therefore it will be a new seasonal road. Town Clerk Lisa Valletta stated the list would be posted on the public bulletin board and the Town website and published in the Skaneateles Press.

A motion to accept the Highway Superintendent’s Report was made by Councilor Vinzant, seconded by Councilor Fesko. The motion PASSED. AYES – 4, NAYS – 0.

SEPTEMBER 14, 2006 MINUTES

A motion to accept the minutes of the September 14, 2006 Town Board meeting as submitted by the Town Clerk was made by Councilor Vinzant, seconded by Councilor Lieberman. The motion PASSED. AYES – 4, NAYS – 0.

RESOLUTION 87-2006

Audit of Claims

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

AYES – 4	Stevens, Vinzant, Fesko, Lieberman
NAYS – 0	

Resolved the bills on Abstract #10-2006 be paid in the following amounts:

General Fund	#284 through # 309	\$ 25,593.01
Highway Fund	#138 through # 152	\$ 35,560.65

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

RESOLUTION 88-2006

Budget Transfer

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

AYES – 4	Stevens, Vinzant, Fesko, Lieberman
NAYS – 0	

Resolved to transfer \$4,800 from DA599 Surplus, Marcellus Snow & Ice and \$10,200 from DA5110.4 Repairs, Contractual to DA5142.4 Snow Removal, Contractual. Further resolved to transfer \$14,850 from A1990.4 Contingent, Contractual to A1420.4 Attorney, Contractual.

BUDGET WORK SESSION

Supervisor Stevens requested an additional budget work session be held. The Town Board agreed to meet on Thursday, October 19th at 7 p.m.

TOWN SUPERVISOR'S REPORT & STATEMENT

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

TOWN CLERK'S MONTHLY REPORT

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

INTERMUNICIPAL AGREEMENT

Water District attorney Bernard Reagan presented the Agreement of Municipal Cooperation for Construction, Financing, Operation, and Maintenance of an Inter-Town Water System for the Southern Onondaga Area. Each town involved in the Water District has received a copy of this agreement for signing.

RESOLUTION 89-2006

Entering Into an Inter-Municipal Agreement and Approving
the New York Drinking Water State Revolving Fund Financing
Application Relative to the Southern Onondaga Area Water District

In furtherance of the development of the Southern Onondaga Area Water District, which includes the Southern Onondaga Area (Spafford) Water District, the Town Board of the Town of Spafford considered approving the New York Drinking Water State Revolving Fund (“DWSRF”) Financing Application being submitted by the Town of Spafford on behalf of the Southern Onondaga Area Water District and entering into an Agreement of Municipal Cooperation For Construction, Financing, Operation, and Maintenance of an Inter-Town Water System For the Southern Onondaga Area (the “Inter-Municipal Agreement”) with the Towns of Marcellus and Otisco relative to the construction and operation of the Southern Onondaga Area Water District, which includes the Southern Onondaga Area (Spafford) Water District.

WHEREAS, Bernard L. Reagan, Esq., the Attorney for the Town of Spafford Water District has reviewed the Inter-Municipal Agreement which is being presented at this meeting for review by the Town Board and he has approved of the terms and provisions of the Inter-Municipal Agreement; and

WHEREAS, the Attorney for the Town of Spafford Water District has advised Webb A. Stevens, Town Supervisor, that he has been working with the attorneys for the Towns of Marcellus and Otisco, with the Engineers for the Water District, Barton & Loguidice, P.C., and with Bond Counsel, Hiscock & Barclay, LLP in the preparation of the DWSRF Financing Application to be submitted by the Town of Spafford on behalf of the Southern Onondaga Area Water District; and

WHEREAS, Mr. Reagan has advised the Town Supervisor that the DWSRF Financing Application must be submitted by October 26, 2006 and that he will be reviewing the final Application prior to its submission.

NOW, THEREFORE, upon motion made by Ken Lieberman, and duly seconded by Bill Vinzant, the Town Board voted to adopt the following Resolutions:

RESOLVED AND ORDERED, that the Town of Spafford hereby authorizes the submission of the New York Drinking Water State Revolving Fund (“DWSRF”) Financing Application by the Town of Spafford on behalf of the Southern Onondaga Area Water District subject to the review and approval of the final version of the DWSRF Application by the Attorney for the Water District on behalf of the Town; and it is further

RESOLVED AND ORDERED, that the Town Supervisor, Webb A. Stevens, shall execute and provide to the Towns of Otisco and Marcellus and to other appropriate parties and governmental agencies, the Inter-Municipal Agreement presented at this meeting.

<u>Present:</u>	Webb A. Stevens	Supervisor
	Bill Vinzant	Councilman
	Richard Fesko	Councilman
	Ken Lieberman	Councilman

Vote: 4 – AYES 0 – NOES

So Ordered by the Town Board of the Town of Spafford

Mr. Reagan presented the Agreement Of Municipal Cooperation For Construction, Financing, Operation, And Maintenance Of An Inter-Town Water System For The Southern Onondaga Area for signatures of

the Town Supervisor and Town Board members. This agreement, with signatures of the Town Boards of Marcellus, Otisco, and Spafford, is to be kept on file in the Town Clerk's Office.

RESOLUTION 90-2006
Water District Bond Resolution

Supervisor Webb A. Stevens presented the following resolution and moved that it be adopted:

BOND RESOLUTION DATED OCTOBER 12, 2006 OF THE TOWN BOARD OF THE TOWN OF SPAFFORD AUTHORIZING NOT TO EXCEED \$8,100,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE CONSTRUCTION, FINANCING, OPERATION AND MAINTENANCE OF AN INTER-TOWN WATER SYSTEM FOR THE SOUTHERN ONONDAGA AREA AT AN ESTIMATED MAXIMUM COST OF \$8,100,000, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

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:

Section 1. Spafford is hereby authorized to construct a new inter-municipal water distribution system for the Water Districts, at a maximum cost of \$8,100,000, as more particularly described in Section 3 hereof

Section 2. Spafford is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$8,100,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the construction and installation of a new inter-municipal town water distribution system for the Water Districts, including any necessary tanks, mains, hydrants, valves and other related equipment, machinery or apparatus.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Spafford Town Board, is \$8,100,000, (b) the Spafford Town Board has not previously authorized the expenditure of the funds necessary to finance the cost of the Purpose, and (c) Spafford plans to finance the cost of the Purpose entirely from funds raised by the issuance of the Bonds and bond

anticipation notes hereinafter referred to.

Section 5. It is hereby determined that the Purpose is one of the class of objects or purposes described in Subdivision 1 of Section 11.00(a) of the Local Finance Law, and that the period of probable usefulness of the Purpose is forty (40) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to further authorize the issuance of the Bonds and to authorize the issuance of bond anticipation notes issued in anticipation of the sale of the Bonds (including renewals thereof) and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and use of substantially level or declining annual debt service, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town of Spafford, the chief fiscal officer. The Supervisor of the Town of Spafford is hereby authorized to sign and the Town Cleric is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Cleric is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 7. The faith and credit of the Town of Spafford, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of said Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 8. This Resolution shall constitute Spafford’s “official intent”, within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. Spafford shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 9. Authorization is hereby granted to the Supervisor of Spafford and to the Members of Spafford’s Town Board to execute and deliver, on behalf of Spafford, a certain document entitled “Agreement of Municipal Cooperation for Construction, Financing, Operation and Maintenance of an Inter-Town Water System for the Southern Onondaga Area” (the “Agreement”) in the form presented at this meeting. Authorization is also granted to the Supervisor of Spafford to approve such changes to the Agreement that may become necessary from time to time.

Section 10. No obligations shall be issued by Spafford for the purpose of financing the Purpose until the Agreement is approved, executed and delivered by each Town.

Section 11. This Resolution shall be published in full by the Clerk of Spafford together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of Spafford. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which Spafford is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. This Resolution shall take effect immediately upon its adoption.

The Motion having been duly seconded by Ken Lieberman, it was adopted and the following votes were cast:

AYES
4

NAYS
0

Mr. Reagan presented the Legal Notice of the Water District Bond Resolution for publication to the Town Clerk.

RESOLUTION 91-2006

Transfer Station Hours

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

Resolved to adjust the hours of operation at the Transfer Station as follows: Saturdays 8 a.m. to 4 p.m. through December; Saturdays 9 a.m. to 4 p.m. from January 1 through March 15, then revert to Saturdays 8 a.m. to 4 p.m.

HIGHWAY COMMITTEE

A motion by Councilor Vinzant, seconded by Councilor Fesko to appoint Jeff Ireland as chairperson, Councilor Ken Lieberman, Councilor Richard Fesko, Highway Superintendent Carl Wiers, and Earl Shoemaker as a Highway Committee for review of the Highway budget and to create a five year plan for Highway projects and purchases. The motion PASSED. AYES – 4, NAYS – 0. Supervisor Stevens requested this committee meet prior to the next budget work session on October 19.

ASSESSOR ROBERT BROWN

Mr. Brown presented copies of the 2006 Annual Assessor’s Report he submitted to New York State. He explained that information in an article in the Syracuse Post Standard was inaccurate. Mr. Brown discussed the annual report with the Board. The Town of Spafford realized an increase in the total assessment of taxable properties, that increase is \$3,887,712. There were actually 114 change of assessment notices sent in the Town of Spafford; Mr. Brown made changes on two properties by stipulation with the owners. 12 applications were made to the Board of Assessment Review (BAR). The determinations made by the BAR resulted in a reduction of \$286,000.

Councilor Vinzant noted that Mr. Brown made adjustments to only 10% of the properties in the Town of Spafford while other towns have made adjustments to 60% or more of their properties. Mr. Brown explained New York State offers an Annual Re Assessment Program in which a town can agree to look at each property in their town every year. Mr. Brown estimates only 6 or 7 towns in Onondaga County entered into this program; usually the larger towns. The larger towns have larger staffs, which makes the annual inspections possible.

There was a discussion of a future re valuation, Mr. Brown stated the Town of Spafford equalization rate is currently down to 71%. Councilor Vinzant asked for a description of the difference between the level of assessment and the equalization rate. Mr. Brown stated the equalization rate is determined by the State; as Assessor, he sets the level of assessment. Both entities base the number on sales. The two numbers are usually similar. Councilor Vinzant asked if the level of assessment for the Town of Spafford was filed last year. Mr. Brown stated it was filed. Councilor Vinzant asked if last year’s level of assessment was close to the equalization rate. Mr. Brown replied it was along the lines of 89% versus 91%.

SIGN COMMITTEE

Debbie Brown and Joyce Green requested their report be tabled until November. Supervisor Stevens accepted their request.

CEMETERIES

Rules and Regulations

Mr. Clark requested the Town Board allow the addition of the sentence – *A seat on the cemetery committee is provided with the purchase of a lot or lots* – be added to the Cemetery Rules and Regulations. The Town Board will consider the wording of the sentence and make a determination at the November meeting.

Private Land Adjoining Cemetery

Mr. Clark explained there is a section of land at the back of the Spafford cemetery that is private land with private graves; the families of the individuals in the graves would like to turn the property over to the Town of Spafford. Supervisor Stevens advised the deeds would have to be brought to date and letters of intent from each of the involved families. Once the Town receives the information, if the Town Board agrees to the transfer of ownership, it would be sent to the Town Attorney for creation of the necessary paperwork.

Fill Work

Supervisor Stevens has requested an estimate for filling and leveling the back section of the Spafford Cemetery. This work is needed to ease maintenance of the area.

RESOLUTION 92-2006

Spafford Cemetery Fill Work

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

Resolved to authorize Supervisor Stevens to allow fill work in the back section of Spafford Cemetery by Borotek, (Brad Haines) if the cost is no more than \$1,000.

Otisco Valley Cemetery

Mr. Clark pointed out the cemetery in Otisco Valley is not visible from the road; he requests the Town Board consider placing a marker on Otisco Valley Road indicating the location of the cemetery.

BECKER ROAD CULVERT

Members of the Town Board visited the site of the culvert between the Korcz property and the Saunders property on Becker Road to view the runoff and drainage. After consideration, the Board determined there has been no detrimental impact that would be the responsibility of the Town.

TRANSFER STATION

There was a discussion of the loading area at the Transfer Station. A decision on rebuilding the area was tabled until November to allow the Board members to inspect the area.

RESOLUTION 93-2006

Appleton Disposal

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

Resolved to pay the bill submitted by Appleton Disposal with General Fund voucher #310 after the Town Clerk has verified the correct amount with Appleton Disposal.

SEPTIC SYSTEM & PARKING @ 1865 EAST LAKE RD

Supervisor Stevens explained the septic system has been installed; distribution of topsoil is needed to complete that portion of the project. Supervisor Stevens asked Councilor Vinzant to join him in a meeting with an engineer on Saturday regarding the parking area at the site.

INTERVIEWS FOR TOWN BOARD VACANCY

Mr. Merrill Clark and Ms. Joyce Green were interviewed by the members of the Town Board for consideration of the appointment to the vacancy on the Town Board.

EXECUTIVE SESSION

A motion was made at 8:45 p.m. by Councilor Vinzant, seconded by Councilor Fesko to recess the meeting to executive session to discuss the work history of the applicants. The motion PASSED. AYES – 4, NAYS – 0.

RETURN TO OPEN MEETING

A motion to return to open session was made at 9:00 p.m. by Councilor Lieberman, seconded by Councilor Vinzant. The motion PASSED. AYES – 4, NAYS – 0.

RESOLUTION 94-2006

Appointment to Town Board

On a motion by Councilor Vinzant, seconded by Councilor Lieberman the following resolution was		
PASSED	AYES – 3	Stevens, Vinzant, Lieberman
	NAYS – 1	Fesko

Resolved to appoint Joyce Green to the position of Town Board member, term beginning October 12, 2006 and ending December 31, 2006.

Adjournment

On a motion by Councilor Vinzant, seconded by Councilor Lieberman the meeting adjourned at 9:03 p.m. subject to the Call of the Town Clerk. Carried unanimously.

Public Hearings are scheduled on November 9, 2006 for review 2007 Preliminary Budget and review proposed Local Law 2006-1; both items are being considered for adoption. Next meeting to be held November 9, 2006 @ 7 p.m. @ Spafford Town Hall

Respectfully submitted by,

Lisa M. Valletta
Town Clerk
Town of Spafford