

The Town Board of the Town of Spafford assembled at the Spafford Town Hall, 1984 Route 174, Skaneateles, New York with Supervisor Mary Bean presiding and the following Board members present: Councilor Jeff Ireland and Councilor Dave Venezia. Councilor Chris Fesko and Councilor Lou Hanlon were absent.

The following Town Officers were present: Highway Superintendent Carl Wiers, Town Clerk Lisa Valletta, Code Enforcement Officer Howard Tanner, and Accountant Thomas Chartrand. Supervisor Bean called the meeting to order at 7:05 p.m. The Pledge of Allegiance was recited.

HIGHWAY DEPARTMENT

Superintendent's Report

- The pickup truck underwent additional repair work.
- The weather has left no time for researching installation of an exhaust fan in the Highway Garage.
 - Specifications for the work need to be prepared to obtain estimates
 - A certified electrician will be needed to ensure the installation is to code requirements.

Mark Delaney offered to meet with Mr. Wiers to prepare specifications for installation of an exhaust fan.

Moon Hill Road

Supervisor Bean stated the Town Board would like an engineer's opinion of the intended work on Moon Hill Road. Mr. Wiers explained the Highway Department has installed many culverts and sees no need for the expense of an engineer. The discussion of an engineer for review of the Moon Hill Road culvert will be continued at the February 21, 2015 meeting. (Said meeting is scheduled for 10 a.m. at the Spafford Town Hall.)

Overtime

Supervisor Bean is concerned with the overtime expenses for this winter season. Mr. Wiers and Mr. Chartrand assured the Board the costs are in line with prior years.

Mr. Wiers departed.

MINUTES

A motion to accept the minutes of the January 8, 2015 and January 17, 2015 Town Board meetings was made by Supervisor Bean, seconded by Councilor Venezia. The motion PASSED. AYES – 3, NAYS – 0.

RESOLUTION 11-2015

Audit of Claims

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

PASSED	AYES – 3	Bean, Ireland, Venezia
	NAYS – 0	
	Absent – 2	Fesko, Hanlon

Resolved approve payment of the General Fund and Highway Fund bills on Abstract #2, (audited abstract totals to be included in March 2015 minutes).

ABSTRACT #1 – JANUARY 8, 2015

Audited bills for Abstract #1 were as follows:

General Fund	vouchers 1 – 44	\$ 92,812.63
Highway Fund	vouchers 1 – 12	\$ 10,361.30

TOWN CLERK’S FINANCIAL REPORT

A motion to accept the Town Clerk’s Financial Report for January 2015 was made by Supervisor Bean, seconded by Councilor Venezia. The motion PASSED. AYES – 3, NAYS – 0.

TOWN SUPERVISOR’S FINANCIAL REPORT

The Town Supervisor’s Monthly Report for December 2014 was read by Accountant Thomas Chartrand and filed. At the December 11, 2014 meeting, the Town Board approved any necessary end-of-year budget transfers. The following transfers occurred:

GENERAL FUND

From:	A8160.4	Refuse & Garbage, Contractual	\$4,300.00
			<u>\$4,300.00</u>
To:	A1620.4	Buildings, Contractual	\$ 100.00
	A1670.4	Central Printing & Mailing, Contractual	700.00
	A1680.4	Central Data Processing, Contractual	100.00
	A5132.4	Garage, Contractual	3,200.00
	A8020.4	Planning, Contractual	100.00
	A9050.8	Unemployment Insurance	100.00
			<u>\$4,300.00</u>

HIGHWAY FUND

From:	DA5110.1	Repairs, Personal Services	\$1,400.00
	DA5142.4	Snow Removal, Contractual	3,900.00
	DA9060.8	Employee Benefits, Hospital	200.00
			<u>\$5,500.00</u>
To:	DA5110.4	Repairs, Contractual	\$1,400.00
	DA5142.1	Snow Removal, Personal Services	4,100.00
			<u>\$5,500.00</u>

A motion to accept the December 2014 Town Supervisor’s Monthly Report was made by Supervisor Bean, seconded by Councilor Ireland. The motion PASSED. AYES – 3, NAYS – 0.

The Town Supervisor’s Monthly Report for January 2015 was read by Accountant Thomas Chartrand and filed. A motion to accept the January 2015 Town Supervisor’s Monthly Report was made by Supervisor Bean, seconded by Councilor Ireland. The motion PASSED. AYES – 3, NAYS – 0.

RESOLUTION 12-2015

January 2015 Bank Reconciliation

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

AYES – 3 Bean, Ireland, Venezia

NAYS – 0

Absent – 2 Fesko, Hanlon

Resolved to find a positive audit of the January 2015 bank statement as presented by Mr. Chartrand.

CODE ENFORCEMENT OFFICER

Mr. Tanner’s reported on the following activity for November/December 2014:

- Building Permits
 - 2059 Pine Bluff Road – addition

- Fire Inspections
 - Borodino Fire House – no violations
 - Spafford Fire House – no violations

- U.S. Census Report has been filed with NYS

- Updates:
 - Town Law 271-7a (Planning Board) states training requirements
 - Town Law 267-7a (Zoning Board of Appeals) states training requirements
 - Order to Remedy forms have been modified to comply with State regulations

Frank Marcheterre

Mr. Tanner provided the Town Board with a timeline for the Codes Department and court activity related to the Frank Marcheterre properties. Mr. Tanner recommends asking an attorney to seek payment of the fines levied against Mr. Marcheterre in 2007 prior to seeking any further action by the Codes Officer. Supervisor Bean commented there is a formula to assess the impact a derelict property has on neighboring properties. Supervisor Bean met with attorney Paul Curtin and was advised the 2007 court order is still enforceable. Mr. Curtin is willing to represent the Town of Spafford in pursuit of a compliance with the 2007 court order at an hourly fee of \$225. In the past, Mr. Marcheterre hired Scott Chatfield as his attorney; thus creating a conflict of interest for Mr. Chatfield serving as the Town’s attorney in this matter.

RESOLUTION 13-2015

Hire Attorney Paul Curtin

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

AYES – 3 Bean, Ireland, Venezia

NAYS – 0

Absent – 2 Fesko, Hanlon

Resolved to hire Attorney Paul Curtin at a cost of \$225 per hour to pursue compliance with the 2007 Court Order against Mr. Frank Marcheterre.

Joseph Marcheterre

Mr. Tanner reported the Code complaint against Mr. Joseph Marcheterre is being handled by the Marcellus Town Court. Mr. Marcheterre has requested a jury trial. Mr. Tanner has prepared and submitted his deposition to the Marcellus Court.

ZONING BOARD OF APPEALS (ZBA)

Chair Kathy Adams reported two matters were heard at the February 10, 2015 ZBA session:

- Public Hearing for a Special Use Permit – John O’Neill (with Wesley Brenneman), 2856 Becker Road. The applicant placed the application on hold.

- Public Hearing for an Interpretation of the Zoning Law which led to denial of a Building Permit by the Codes Officer – Ling Wang, 66 Spafford Landing Road. Neither the property owner nor her attorney appeared for the Hearing. Evidence was presented by Mr. Tanner and his attorney. The ZBA voted to uphold the Code Officer’s decision. Notice of the ZBA decision has been sent to Ms. Wang and her attorney.

Supervisor Bean reminded the Board that the Town may proceed with demolition of the building at 66 Spafford Landing Road thirty days after receipt of the ZBA decision has been delivered.

PLANNING BOARD

Chair Chad Marsh stated there is nothing on the docket for the February Planning Board session. There is a letter from the Planning Board to the Town Board explaining the additional work done by the Planning Board over the last year and the requests related to the Town of Spafford’s planning standards and zoning ordinance. A copy of the letter was received by the Town Clerk and will be filed in her office.

Mr. Marsh reviewed the letter with the Town Board. The Planning Board is requesting the Town Board acknowledge the Planning Board’s authority to have their own attorney, separate from the Town Attorney, and to confirm funds are available to compensate such an attorney. Mr. Marsh stressed the need for advice/guidance from a land use attorney during the intended revision to the Town’s zoning ordinance (“ordinance”).

Councilor Venezia asked what impels the Planning Board to proceed with revisions to the ordinance. Mr. Marsh commented the ordinance has noticeable errors and omissions, several of which affect multiple sections of the ordinance. Supervisor Bean voiced concern over going out with requests for proposals without known costs. Mr. Marsh requested the amount the Town Board would allow for legal services to the Planning Board. The discussion of the Planning Board’s need for legal services continued.

Supervisor Bean proposed a work session between the Town Board and the Planning Board to continue the discussion as two Town Board members are absent. Mr. Marsh will work with the Town Clerk to arrange the meeting.

NEWSLETTER

Mr. Marsh asked who prepares the Town’s newsletter. Supervisor Bean explained she is the editor. Mr. Marsh suggested input from different Town departments and committees could be included in future newsletters. Supervisor Bean stated the submission deadline for the next newsletter is April 1st.

PUBLIC COMMENTS

- Lorinda O’Brien is seeking support for repairs to State Route 174. There was discussion of the poor condition of the section of State Route 174 along Otisco Lake. The Board agreed to submit a letter of support. Mrs. O’Brien is waiting for a response to her call to the NYS Dept. of Transportation; after the response is received she will approach Senator DeFrancisco for support.
- Jake Sheahan and Sandra Weigel both thanked the Board for seeking enforcement of the Court Order against Frank Marcheterre.
- Suanne Hopkins asked why the barricades for Church Road were not constructed by the Highway Department. Supervisor Bean explained the Highway Dept. did erect barricades but they were inadequate to the State regulations. The Town Attorney had advised Supervisor Bean that barricading the bridge on Church Road was an emergency situation. The Highway Dept. was unavailable to create satisfactory barricades in a timely manner so Supervisor Bean contracted with a local resident to build and place the barricades.

ZONING ORDINANCE AMENDMENT

Supervisor Bean explained the current Zoning Ordinance does not allow for the appointment of Alternate members to either the ZBA or the Planning Board. She proposed an amendment to the Ordinance to allow the appointment of Alternate members.

Mr. Marsh stated the Planning Board has no need or desire for an Alternate member. An Alternate member may only serve when a conflict of interest exists for one of the regular members on the board. There was a discussion between Mr. Marsh, ZBA Chair Kathy Adams and the Town Board of the concerns and issues behind the proposal which include failure by a board member to secure the required training and lack of regular attendance at meetings.

Town Attorney Scott Chatfield arrived at 8:15 p.m.

Supervisor Bean also proposed amending the process for removal of a ZBA or Planning Board member. The existing process, as written in the Ordinance, requires a public hearing prior to removal; Supervisor Bean proposed removal of that requirement. It was noted the State requires a specification of charges and providing an opportunity for the affected board member to be heard.

The discussion was tabled until the March 12, 2015 Town Board meeting. Mr. Chatfield commented the Town Law of the State of New York requires training of ZBA and Planning Board members; it does not mandate removal for failure to obtain the training, but the Town Board may not reappoint an individual who has failed to obtain the required training.

2015 MOWING SPECIFICATIONS

Specifications for the 2015 Mowing Contract were discussed by the Town Board. Mr. Chartrand commented the proposed specifications did not make mention of prevailing wage rate requirements. The Town Clerk was instructed to include the appropriate wording. Spafford Cemetery Caretaker Merrill Clark had submitted a request that all properties be trimmed at each mowing; the current proposal does not require trimming on all properties. The Town Clerk was instructed to amend the specifications with the requested trimming requirements. It was noted that Spring clean-up on the properties is an option in the specifications.

A motion was made by Supervisor Bean, seconded by Councilor Ireland to accept the 2015 Mowing Contract specifications as amended and to advertise for bids on the contract, said bids to be opened at the March 12, 2015 Town Board meeting. The motion PASSED. AYES – 3, NAYS – 0.

COLD BROOK VALLEY CEMETERY

Surplus Items

The following surplus items are currently stored at the Cold Brook Valley Cemetery: one steel shed; one riding lawn mower; one push mower; and one cart. It is the desire of the Town Board to offer these items for sale.

RESOLUTION 14-2015

Advertise for Bids on Surplus Items

On a motion by Supervisor Bean, seconded by Councilor Venezia the following resolution was

PASSED	AYES – 3	Bean, Ireland, Venezia
	NAYS – 0	
	Absent – 2	Fesko, Hanlon

Resolved the Town Clerk is authorized to advertise for bids to purchase the above listed surplus items. Said bids to be received for the April 9, 2015 Town Board meeting.

Survey

Supervisor Bean reminded the Board that NYS law requires a survey of any cemetery conveyed to the Town. There was a discussion on what method should be used to plot the cemetery.

CEMETERY CARETAKERS

A new caretaker is needed for Borodino Cemetery. Merrill Clark, the Spafford Cemetery Caretaker informed Supervisor Bean this will be his last year as Caretaker. Supervisor Bean proposed combining the three posts into one Caretaker for all the cemeteries. Supervisor Bean suggested the discussion be continued outside of a Town Board session and brought back for a decision. Councilor Venezia asked if the Association Of Towns of the State of New York (AOTSNY) could offer advice on the issue.

TOWN OF SCOTT PARK

Supervisor Bean commented the Town of Spafford has historically contributed \$2,000 to the Town of Scott: \$1,000 for Spafford residents to participate in the Town of Scott summer recreation youth program; \$1,000 for park use by Spafford residents. The park use funds have been paid for this year. Supervisor Bean stated the funds for the summer recreation program are being held back, pending a decision and information from Catholic Charities on offering space in the summer program at Lourdes Camp.

NY-SUN INITIATIVE

A request was received from NY-SUN Initiative for support and a local coordinator to promote solar energy options in the Town of Spafford. There was a brief discussion of the details of the request. A motion was made by Councilor Venezia, seconded by Councilor Ireland to decline of the NY-SUN Initiative request. The motion PASSED. AYES – 3, NAYS – 0.

ADJOURNMENT

A motion to adjourn the meeting at 9:30 p.m. was made by Councilor Ireland, seconded by Councilor Venezia. The motion was carried unanimously.

Respectfully submitted by,

Next meeting to be held
Saturday, February 21, 2015 @ 10 a.m.
@ Spafford Town Hall
This will be a budget work session.

Lisa M. Valletta
Town Clerk
Town of Spafford