

The Town Board of the Town of Spafford assembled at the Spafford Town Hall, 1984 Route 174, Skaneateles, New York.

PRESENT: Supervisor Christopher Kozub, Councilor Christine Fesko, Councilor Dave Venezia, Councilor Luke DeWitt, and Councilor Cherry Randall.

ALSO PRESENT: Highway Superintendent Eric Fordock, Town Clerk Lisa Valletta, Code Officer Howard Tanner, Accountant Thomas Chartrand and Town Attorney James Gascon.

Supervisor Kozub called the meeting to order at 7:04 p.m. The Pledge of Allegiance was recited.

MINUTES

A motion to accept the minutes of the May 12, 2016 Town Board meetings as submitted was made by Councilor Fesko, seconded by Councilor Venezia. The motion PASSED: AYES- 5, NAYS- 0.

RESOLUTION 71-2016

**Abstract #6 – General & Highway Funds**

On a motion by Councilor DeWitt, seconded by Councilor Randall the following resolution was PASSED. AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall  
NAYS – 0

General Fund Abstract #6 and Highway Fund Abstract #6 are approved. (Audited abstract totals will be reflected in the July 2016 Town Board meeting minutes.)

ABSTRACT #5 – MAY 12, 2016

Audited bills for Abstract #5 were as follows:

General Fund	vouchers 141 – 167	\$ 17,619.98
Highway Fund	vouchers 47 – 62	\$ 14,077.76

TOWN SUPERVISOR’S REPORT & STATEMENT

The Town Supervisor’s Report & Statement for May 2016 was read by Accountant Thomas Chartrand and filed. A motion to accept the Town Supervisor’s Report for May 2016 was made by Councilor DeWitt, seconded by Councilor Fesko. The motion PASSED. AYES – 5, NAYS – 0.

RESOLUTION 72-2016

**May 2016 Bank Reconciliation**

On a motion by Councilor Fesko, seconded by Councilor DeWitt the following resolution was PASSED. AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall  
NAYS – 0

Resolved to find a positive audit of the May 2016 bank statement as presented before the Town Board.

CODE OFFICER’S REPORT

Mr. Tanner’s reported on the following activity for March/April 2016:

- o Permits Issued
  - 2337 Olanco Road – demolition of camp
  - 2504 State Route 174 – roof mounted solar panels
  - 99 Spafford Landing Road – shed
  - 73 Spafford Landing Road – deck, stairs, windows
  - 2672 Nunnery Road – covered deck

- 682 State Route 41 – addition
- Other Items
  - The new International Code Books have been received, free of charge.
  - The demolition and clean-up of the Limestone Ridge, LLC property is complete.

ZONING BOARD OF APPEALS (ZBA) REPORT

There were no appeals in front of the ZBA in May.

PLANNING BOARD REPORT

There were five applicants in front of the Planning Board in May:

- Two subdivisions:
  - 587 State Route 41
  - 2834 Nunnery Road
- Three site plan reviews:
  - 1827 State Route 41 – solar installation
  - Collard Road – *no additional information was received*
  - 1889 State Route 41 – Special Permit for restaurant/café

TOWN CLERK’S REPORT

A motion to accept the Town Clerk’s Cash Report for May 2016 was made by Councilor Fesko, seconded by Councilor Venezia. The motion PASSED. AYES – 5, NAYS – 0.

HIGHWAY REPORT

- The reserve price of \$30,000 for the 2000 International 6x6 10 wheel dump truck was met at auction and the vehicle sold.
- Oil and stone work on the roads is complete.

2007 CASE IH 721-E LOADER (2007 loader)

Supt Fordock presented information for listing the 2007 loader with Auctions International and proposed purchase of a John Deere 624K loader as listed on NYS OGS contract PC67075. There was discussion of trading in the 2007 loader versus listing it for auction. The quote from Five Star Equipment, Inc. allows for the possibility of auctioning the 2007 loader.

RESOLUTION 73-2016

Purchase of John Deere 624K Loader

On a motion by Councilor Randall, seconded by Councilor Venezia the following resolution was PASSED.

AYES – 5	Kozub, Fesko, Venezia, DeWitt, Randall
NAYS – 0	

Be it RESOLVED the Highway Superintendent Fordock is authorized to pursue the purchase of one John Deere 624K loader under NYS OGS Contract PC67075 at \$168,699.27 (including documentation and UCC filing fees) with a request for Five Star Equipment, Inc. to accept a trade-in value of \$55,000 for the 2007 Case IH 721-E loader. Be it further RESOLVED if Five Star Equipment, Inc. does not accept the trade-in value the 2007 Case IH 721-E loader will be listed on Auctions International with a reserve price of \$55,000.

## RESOLUTION 74-2106

Advertise for Tax Collector

On a motion by Councilor Randall, seconded by Councilor DeWitt the following resolution was PASSED. AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall  
NAYS – 0

Resolved the Town Clerk will place an advertisement for applicants for the post of Tax Collector which term will expire December 31, 2016.

CONSENSUS

Consensus, the commission on local government modernization will be holding an information session at Spafford Town Hall on Wednesday, June 15, 2016 at 7 p.m.

## RESOLUTION 75-2016

FEMA Flood Maps

On a motion by Councilor DeWitt, seconded by Councilor Randall the following resolution was PASSED. AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall  
NAYS – 0

Resolved the Town Board of the Town of Spafford hereby accept the Flood Insurance Rate Maps for Onondaga County as presented.

PROPOSED LOCAL LAW –TO AMEND THE ZONING CODE OF THE TOWN OF SPAFFORD

Town Attorney James Gascon recounted the following revisions to the proposed local law:

- ▶ “Commercial Lodging Establishment” definition was modified
  - from: *A motel, hotel, inn, apartment, house, or similar establishment that provides lodging to the public for pay; or a person or establishment that provides lodging for pay such that the codes enforcement officer determines to have a sufficient number of the characteristics of a commercial lodging establishment for purposes of this law*
  - to: *A motel, hotel, inn, or similar establishment that provides lodging to the public for pay.*
- ▶ “Roomer, Boarder, Lodger” definition was modified
  - from: *A person occupying any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes, and paying compensation for lodging or board and lodging by prearrangement for a week or more at a time to an owner or operator. Any person occupying such room or rooms and paying such compensation for less than a week at a time shall be classified for purposes of this Law not as a roomer, boarder, or lodger but as a guest of a commercial lodging establishment (motel, hotel, tourist home).*
  - to: *A person occupying any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes, and paying compensation for lodging or board and lodging by prearrangement for a week or more at a time to an owner or operator.*
- ▶ “Temporary Rental” definition was added
  - *The rental of a one family or two family dwelling by the owner/occupant of the dwelling for a term not to exceed 180 days.*
- ▶ SECTION 10: Amendments to Article VI, Zoning District Regulations, Sections 6-1, 6-2, and 6-3 were amended to include the following provisions:
  - 6-1 Residential/Agricultural District
    - B. Permitted Uses
      - (8) Temporary Rental

- C. Special Use Permit  
(29) Solar Energy Conversion Systems (Pole Mounted)
  
- 6-2 Otisco Lake District
  - B. Permitted Uses  
(12) Temporary Rental
  
  - C. Special Use Permit  
(5) Solar Energy Conversion Systems (Pole Mounted)
  
- 6-3 Skaneateles Lake District
  - B. Permitted Uses  
(12) Temporary Rental
  
  - C. Special Use Permit  
(5) Solar Energy Conversion Systems (Pole Mounted)

There was discussion of the Temporary Rental definition. The Town Board requested inclusion of a statement under Section 9 allowing amendment of fees and penalties by Town Board resolution.

RESOLUTION 76-2016

**Schedule Public Hearing for Proposed Local Law 1-2016** *Amend the Zoning Code of the Town of Spafford*

On a motion by Councilor Fesko, seconded by Councilor Randall the following resolution was PASSED. AYES – 5 Kozub, Fesko, Venezia, DeWitt, Randall  
NAYS – 0

Resolved a Public Hearing for review of the Proposed Local Law 1-2016 to Amend the Zoning Code of the Town of Spafford will be held on Thursday, July 14, 2016 at 7 p.m. at the Spafford Town Hall. Be it further resolved said proposed local law will be submitted to Onondaga County Planning Agency for review and comment.

**SEQRA FOR PROPOSED LOCAL LAW 1-2016** *Amend the Zoning Code of the Town of Spafford*

Mr. Gascon read through the Short Environmental Assessment Form (SEQRA) for the proposed local law to amend the Zoning Code of the Town of Spafford.

RESOLUTION 77-2016

**Proposed Local Law 1-2016 SEQRA**

On a motion by Supervisor Kozub, seconded by Councilor DeWitt, Be it resolved the Town Board, as Lead Agency has determined Proposed Local Law 1-2016 to Amend the Zoning Code of the Town of Spafford will not result in any significant adverse environmental impacts.

Supervisor Kozub	Aye
Councilor Fesko	Nay
Councilor Venezia	Aye
Councilor DeWitt	Aye
Councilor Randall	Aye

**Proposed Local Law 2-2016** to Establish Fees and Rules for Commercial Use of the Borodino Boat Landing

The revised version of proposed Local Law 2-2016 as agreed to by the Town Board at the May 12, 2016 meeting was presented to the Town Board. The revisions are not considered to be substantial.

RESOLUTION 78-2016

**Proposed Local Law 2-2016 SEORA**

On a motion by Councilor Fesko, seconded by Councilor DeWitt, Be it resolved the Town Board, as Lead Agency has determined Proposed Local Law 2-2016 to Establish Fees and Rules for Commercial Use of the Borodino Boat Landing will not result in any significant adverse environmental impacts.

Supervisor Kozub	Aye
Councilor Fesko	Aye
Councilor Venezia	Aye
Councilor DeWitt	Aye
Councilor Randall	Aye

RESOLUTION 79-2016

**Adoption of Local Law 1-2016 to Establish Fees and Rules for Commercial Use of the Borodino Boat Landing**

On a motion by Councilor Fesko, seconded by Councilor DeWitt, Be it RESOLVED the following Town of Spafford Local Law 1 of the Year 2016 is hereby adopted

Supervisor Kozub	Aye
Councilor Fesko	Nay
Councilor Venezia	Aye
Councilor DeWitt	Aye
Councilor Randall	Aye

**A LOCAL LAW TO ESTABLISH FEES AND RULES FOR COMMERCIAL USE OF THE BORODINO BOAT LANDING**

Be it enacted by the Town Board of the Town of Spafford as follows:

**SECTION 1: Legislative Purpose and Intent**

The purpose of this Local Law is to establish rules and a fee schedule for the commercial use by contractors of the Borodino Boat Landing on Skaneateles Lake in the Town of Spafford in a manner that preserves the health, safety and welfare of the Town.

**SECTION 2: Authority**

This local law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

**SECTION 3: Establishment of a Borodino Boat Landing Commercial Use Fee Schedule**

1. Resident Contractor / Town Resident Project: \$100 per project
2. Non-resident Contractor / Town Resident Project \$250 per project
3. Non-resident Contractor / Non-resident Project: \$500 per project

The fees and penalties associated with the use of the Borodino Boat Landing may be established or amended at any time by resolution of the Spafford Town Board.

**SECTION 4: Establishment of Rules for Commercial Use of the Borodino Boat Landing**

1. Commercial users are defined as Contractors doing construction both on land and in the water on Skaneateles Lake and its water shed.
2. Those Contractors that want to use the Borodino Landing to load or unload barges or similar craft with materials may do so only after contacting the Spafford Codes Enforcement officer and obtaining the proper permits and paying the proper fees per project. The permit application form is attached hereto as Exhibit "A" and may be exchanged or modified from time to time by Town Board Resolution.
3. Use of the landing is subject to the following restrictions:
  - a. Activity shall be limited to loading and/or unloading of material onto the barges or similar craft.
  - b. No cutting of lumber, mixing of concrete, or any preparation work of any kind is allowed at the landing.
4. No trucks or vehicles are allowed on the landing except during loading and unloading. No trucks, vehicles, boats or barges are to be left at the landing unattended.
5. Time restrictions of use are as follows:
  - a. Between the dates of Memorial Day weekend and Labor Day weekend, the time of loading and /or unloading is limited to 9 a.m. to Noon, Monday through Friday. No weekend use by commercial Contractors during this time.
  - b. No commercial loading and/or unloading of barges or similar craft at the landing is to interfere with swimmers or fishermen at the landing.
6. All contractors using the landing are required to have a certificate of insurance naming the Town of Spafford as additional insured for use of the landing and start and Stop dates listed.
7. The Borodino landing is to be left clean and free of debris at all times.

**SECTION 5: Severability**

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

**SECTION 6: Effective Date**

This Local Law shall be effective upon filing with the office of the Secretary of State.

**SECTION 7: Violations and Penalties**

Violators of this local law shall be punishable by a minimum fine of \$250 per violation or per day, whichever is greater. The Town Board may change or modify the fines by Board Resolution.

**ADJOURNMENT**

A motion to adjourn the meeting at 8:35 p.m. was made by Councilor Fesko, seconded by Councilor DeWitt. The motion was carried unanimously.

Respectfully submitted by,

Next meeting to be held  
Thursday, July 14, 2016 @ 7 p.m.  
@ Spafford Town Hall

Lisa M. Valletta  
Town Clerk  
Town of Spafford