

TOWN BOARD MEETING

February 9, 2017

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 7:00 p.m. The Pledge of Allegiance was recited.

MINUTES

A motion to accept the minutes of the January 5, 2017 Town Board meeting and 2017 Organizational meeting as submitted was made by Councilor Fesko, seconded by Councilor DeWitt. The motion PASSED: AYES- 5, NAYS- 0.

RESOLUTION 12-2017

Abstract #2 – General & Highway Funds

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

General Fund Abstract #2 and Highway Fund Abstract #2 are approved. (Audited abstract totals will be reflected in the March 2017 Town Board meeting minutes.)

ABSTRACT #1 – JANUARY 5, 2017

Audited bills for Abstract #5 were as follows:

General Fund	vouchers 1 – 27	\$ 65,454.56
Highway Fund	vouchers 1 – 7	\$ 7,060.91

TOWN SUPERVISOR’S DECEMBER 2016 REPORT

The Town Supervisor’s Report for December 2016 was read by Accountant Thomas Chartrand and filed.

The prior approved 2016 End of Year Budget Transfers were as follows:

HIGHWAY FUND

From	DA5142.4	Snow Removal, Contractual	\$14,600.00
			<u>\$14,600.00</u>
To	DA5112.3	Improvements, Capital Outlay	\$12,000.00
	DA5130.4	Machinery, Contractual	2,300.00
	DA9060.8	Employee Benefits, Hospital	300.00
			<u>\$14,600.00</u>

GENERAL FUND

From	A1421.4	Attorney (Litigation), Contractual	\$ 6,000.00
	A1990.4	Contingent, Contractual	2,100.00
			<u>\$ 8,100.00</u>

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To	A1420.4	Attorney (Contract), Contractual	\$ 6,000.00
	A1920.4	Municipal Dues, Contractual	200.00
	A8810.4	Cemeteries, Contractual	500.00
	A9040.8	Employee Benefits, Workers Comp.	600.00
	A9060.8	Employee Benefits, Hospital	800.00
			<u>\$ 8,100.00</u>

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

TOWN SUPERVISOR’S JANUARY 2017 REPORT & STATEMENT

The Town Supervisor’s Report & Statement for January 2017 was read by Accountant Thomas Chartrand and filed. A motion to accept the January 2017 Town Supervisor’s Report & Statement was made by Councilor DeWitt, seconded by Councilor Fesko. The motion PASSED. AYES – 5, NAYS – 0.

RESOLUTION 13-2017

January 2017 Bank Reconciliation

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 to find a positive audit of the January 2017 bank statement as presented before the Town Board.

HIGHWAY REPORT

The 2017 plan for expenditure of Highway Funds includes paving all of Willow Hill Road. There was discussion of the 2017 Agreement to Spend Highway Funds.

RESOLUTION 14-2017

Agreement to Spend Highway Funds

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

Resolved to approve the 2017 Agreement to Spend Highway Funds with an expenditures total of \$208,461.00.

Supt Fordock continues to search for a replacement for the Gradall. There was discussion of the need for specifications if the Town decides to go out for bids for a replacement vehicle. He is also researching heavy-duty pickup trucks with consideration towards establishing an equipment trade-in schedule.

RESOLUTION 15-2017

Gradall Replacement Option

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

Resolved Highway Superintendent Eric Fordock is authorized to seek for purchase a replacement vehicle comparable to the 1997 Gradall from other municipalities with a maximum expenditure of \$41,000.00.

HIGHWAY REPORT CONT'

The Highway Department is back to full staff, the crew member has returned from medical leave. Supt Fordock has conducted a cleanup/clean out with the assistance of the Highway crew. Several items were identified as unnecessary for retention: Dayton hubs; a Harding spreader; several new & used tires on rims; new front bumpers; hubs for a 6-wheel Ford; and wing extensions. Supt Fordock requested the Board identify the items as surplus and allow for them to be offered for sale on Auctions International.

RESOLUTION 16-2017

Surplus Equipment

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

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

NAYS – 0

Resolved the Dayton hubs; a Harding spreader; several new & used tires on rims; new front bumpers; hubs for a 6-wheel Ford; and wing extensions are declared as surplus equipment and will be offered for sale with Auctions International.

CODE OFFICER'S REPORT

Mr. Tanner's reported on the following activity for January/February 2017:

- Permits Issued
 - 2613 Nunnery Road – interior remodel
 - 4 properties received Short Term Rental Permits
 -
- Other Items
 - The 2016 Census Report has been filed.
 - The 2016 Part 1203 Code Report has been filed with the Secretary of State.
 - The ISO audit by Code Enforcement has been completed.

PLANNING BOARD

No applications to fill the vacancy have been received as yet. Mr. Les Morton is serving as Vice-Chair. There is one subdivision application and one Special Use application on the Planning Board's agenda for February. The February agenda also includes the Planning Board's Organizational items.

ZONING BOARD OF APPEALS (ZBA) REPORT

No applications to fill the vacancy have been received as yet. There are two Area Variances on the ZBA's agenda for February. The February agenda also includes the ZBA's Organizational items.

ONONDAGA COUNTY PLANNING FEDERATION SYMPOSIUM

The Onondaga County Planning Federation has scheduled a training symposium for March 2, 2017. This session is an opportunity for Planning Board and ZBA members to obtain required training.

RESOLUTION 17-2017

2017 Onondaga County Planning Symposium

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

Resolved reimbursement to Town officials for costs associated with attending the 2017 Onondaga County Planning Symposium is authorized.

INTRODUCTION OF PROPOSED LOCAL LAW A-2017(Repealing Local Law 4-2016 and Replacing It With Amended Language Regulating the Short-Term Rental of Homes)

Supervisor Kozub, with Town Attorney James Gascon, provided a summary of the amendments to the language of Local Law 4-2016.

PROPOSED LOCAL LAW A-2017

Long Environmental Assessment Form & Negative Declaration

Mr. Gascon led the Town Board through the long Environmental Assessment Form (“the Form”) relative to proposed local law A-2017. Following completion of the Form, a motion was made by Supervisor Kozub, seconded by Councilor Randall to adopt the negative declaration and to declare enactment of proposed local law A-2017 will not result in any adverse or significant impacts. The motion PASSED. AYES – 5, NAYS – 0.

RESOLUTION 18-2017

Regarding Proposed Local Law A-2017 – Repealing Local Law 4-2016 and Replacing it with Amended Language Regulating the Short-Term Rental of Homes

Whereas, Supervisor Kozub introduced proposed Local Law A-2017, “ A Local Law to Repeal Local Law 4-2016 and Replace It with the Following Language Amending the Zoning Code of the Town of Spafford for the Purpose of Regulating the Short-Term Rental of Homes,” which Local Law would define the “short-term rental property” and create amended regulations for such properties, and a registration process for all owners of such properties who engage in the short-term rental thereof, and made the following motion, which was seconded by Councilor Randall:

Whereas, Volume 6 N.Y.C.R.R., Section 617 of the Regulation relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

Whereas, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Spafford, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter; and

Whereas, the adoption to said Local Law is an Unlisted action for purposes of environmental review under SEQR; and

Whereas, the Town Board has determined that a full environmental assessment form (FEAF) shall be required in connection with this matter; and

Whereas, the said FEAF has been prepared and has been reviewed by the Town Board; and

Whereas, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria; and

Whereas, the adoption of said Local Law does not create a new use or alter any preexisting permissible uses enumerated in the Zoning Code of the Town of Spafford; and

Whereas, the adoption of said Local Law is designed to preserve the rural, residential character of the Town, as well as the peace, quiet and enjoyment of all Town residents; while respecting the property rights of homeowners who wish to offer their homes as short-term rental properties; and

Whereas, the adoption of said Local Law will result in no physical disturbances or alterations to the physical environment within the Town of Spafford;

Now, therefore, it is

RESOLVED AND DETERMINED, that the enactment of proposed Local Law A-2017 is an Unlisted action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQR review; and it is further

RESOLVED AND DETERMINED, the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, and environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQR; and it is further

RESOLVED, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law A-2017 at the Spafford Town Hall, 1984 State Route 174, Skaneateles, New York, on March 9, 2017 at 7 p.m. or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Councilor Fesko	Voted Yes	Councilor Randall	Voted Yes
Councilor Venezia	Voted Yes	Supervisor Kozub	Voted Yes
Councilor DeWitt	Voted Yes		

The foregoing resolution was thereupon declared duly adopted.

SKANEATELES YMCA DAY PASSES

The Skaneateles YMCA Day Pass program established in October 2015 resulted in the issuance of twelve family passes and one individual pass. To date, the Town has received no billing from the YMCA for redeemed passes. A motion to discontinue the program was made by Councilor Fesko, seconded by Councilor Venezia. The motion PASSED. AYES – 5, NAYS – 0. The Town Clerk will send a letter to the Skaneateles YMCA informing them of the conclusion of the program.

ONONDAGA COUNTY LEGISLATURE GRANT OPPORTUNITY

Supervisor Kozub received notice of a grant opportunity through the Onondaga County Legislature. A motion was made to authorize Supervisor Kozub to pursue the opportunity was made by Councilor Fesko, seconded by Councilor Venezia. The motion PASSED. AYES – 5, NAYS – 0.

2017 MOWING CONTRACT SPECIFICATIONS

Councilor DeWitt made adjustments to the mowing contract specifications for the 2017 season. There was discussion of reasonable grass height, a Town Councilor serving as liaison, and penalties should the contractor fail to substantially comply with the contract terms. The specifications are to be as follows:

- 1) Mowing of listed properties shall begin the 1st of April, 2017 unless deferred by the Spafford Town Board.
- 2) The Length of the grass and weeds should not exceed 4" (Four inches) at any time.
- 3) Properties are to be mowed every 7-10 days unless deferred by a Spafford Town Board Delegate.
- 4) The successful bidder must meet with a Town of Spafford representative before beginning work in the Spring to learn the property boundaries.

- 5) Properties may be mowed on different days but each property that is started is to be mowed in its entirety that day. (Unless inclement weather/machine failure alters mowing)
- 6) Upon completion of mowing, a phone call or email is to be sent to the Town Clerk for documentation of mowing completion. (The Spafford Town Board/Board Liaison reserves the right to remove this requirement and may/will do so in writing)
- 7) Bids shall include all properties for the season; failure to complete any and all requirements will result in a penalty.
- 8) Bids are to be based on prevailing wage rates.
- 9) Any complaint or deviation will be addressed by the Spafford Town Board.

Penalties for non-compliance/complaints:

- 1) First complaint will result in a verbal warning.
 - 2) A second complaint shall generate a written notice.
 - 3) A third complaint shall result in a written notice and will result in a 50% reduction in total seasonal revenues for the Mowing Contract.
 - 4) A fourth complaint shall be subject to termination of the contract by the Town Board in the event that the vendor has failed to fulfill the mowing contract.
- All complaints and punitive actions must be approved by the Spafford Town Board.
 - Entrances and exits are to be well-maintained.
 - All properties shall be trimmed at each mowing.

All properties shall be in appropriate condition for holidays: Memorial Day weekend, Fourth of July and Labor Day. Note: The Town of Spafford conducts a Memorial Day Observation on the Sunday of Memorial Day weekend.

TERM OF CONTRACT: This contract shall be valid for the 2017 "mowing" season. Upon approval of both parties, this Contract may be extended year-to-year for an additional 2 years.

Property # 1:

The Veteran's Memorial site on the corner of Nunnery Rd and East Lake Rd, (Route 41):

- Clippings must be bagged or mulched such that no visible clippings are left anywhere on the property.
- Flower beds are to be weeded, mulched, edged and maintained.
- All trees are to be mulched and weeded as needed.

This site is to be in pristine condition at all times

Property # 2:

The vacant lot on the corner of Route 174 and East Lake Rd, (Route 41), across from the Veteran's Memorial, former location of the I.G.A. Store.

- To be trimmed at each mowing; being sure to trim along the exposed side of the concrete block structure on the neighboring property.

Property #3:

Borodino Cemetery, on East Lake Rd just south of Borodino:

- No visible clippings are to be left on the property.
- The bank near the entrance sign is to be trimmed at each mowing, a distance of three (3) feet towards East Lake Rd (Route 41).
- Weed cutting on the side of the hill of the cemetery shall be done as needed for the entire season.
 - Length of weeds not to exceed 4" (Four inches).
 - The area on the "north" side, behind the headstones is to be included in the care of the cemetery.

Property # 4:

Spafford Cemetery on Cold Brook Rd between Route 41 and Willowdale Road, including the older section in the back:

- No visible clippings are to be left on the property.
- Regarding the new section: the half closest to the old section of the cemetery is to be mowed and trimmed on the same schedule as indicated in the opening paragraph.
- Regarding the remaining half of the new section, (unused): this area is to be mowed once per month.

Property # 5:

Spafford Hollow Cemetery, on Otisco Valley Rd near Church Rd:

- No visible clippings are to be left on the property.

Property # 6:

1865 East Lake Rd:

-All trimming is to be done at each mowing, including the ditch on the north side of the property. No rough areas are to be left. No visible clippings are to be left on the property. Bagging is not required but clippings shall not be blown into the parking lot.

Property # 7:

Cold Brook Valley Cemetery, on Cold Brook Rd just north of Allen Gay Rd:

-No visible clippings are to be left on the property.

Additional Bid Option:

Spring Cleanup of all properties in this bid.

To include:

- 1) Raking and disposal of all leaves, fallen limbs and all winter debris
- 2) Trimming back of encroaching weeds, brush, etc. along the boundaries and borders of all cemeteries.

The Spafford Town Board reserves the right to reject any and all bids submitted.

Evidence of Liability Insurance must accompany all submitted bids. Bids are to be based on prevailing wage rates.

A motion to accept the 2017 Mowing Contract Specifications as above was made by Councilor Randall, seconded by Councilor Fesko. The motion PASSED. AYES – 5, NAYS – 0.

RESOLUTION 19-2017

Advertise 2017 Mowing Contract

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

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

Resolved the Town Clerk is authorized to release the specifications for bid by means of advertising in the Skaneateles Press and The Shopper.

MORGAN MECHANICAL INVOICE

The payment request submitted by Morgan Mechanical for installation of the new heater in the Borodino Grange Hall was discussed. The work was completed as part of the Borodino Grange Hall Restoration Project funded by a grant from Onondaga County Department of Transportation. The invoice shows a total cost for equipment and labor which exceeds the balance of the grant funds. The Board requested the information on the invoice provide a breakdown of costs for equipment and labor and provide a clear amount to be applied towards the grant balance.

CONFIDENTIAL ATTORNEY CONSULTATION

The Town Board recessed for confidential consultation with the Town Attorney at 9:10 p.m. The Town Board returned to open session at 9:15 p.m.

CEMETERY MANAGEMENT PACKAGE

After Town Attorney consultation, the Town Board opted to offer a Cemetery Management package for bid. The package specifications include the duties of Cemetery Superintendent, the 2017 Mowing Contract specifications, and the opening and closing of graves.

RESOLUTION 20-2017

Rescind Resolution 19-2017 AND Advertise 2017 Cemetery Management Package Contract

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

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

Resolved the Town Board hereby rescinds Resolution 20-2017 and authorizes the Town Clerk to advertise for bids on the above described Cemetery Management Package.

TOWN JUSTICE

The robe used by the prior Town Justice was embroidered with her name. On a motion by Supervisor Kozub, seconded by Councilor Randall, the Town Board declares said robe to be of no value to the Town and may be released to the prior Town Justice. The motion PASSED. AYES – 5, NAYS – 0.

ADJOURNMENT

A motion to adjourn the meeting at 9:20 p.m. was made by Councilor Venezia, seconded by Councilor Fesko. The motion was carried unanimously.

Respectfully submitted by,

Next meeting to be held
Thursday, March 9, 2017 @ 7 p.m.
@ Spafford Town Hall

Lisa M. Valletta
Town Clerk
Town of Spafford