

MINUTES OF THE MEETING OF THE
SANDY CREEK VILLAGE BOARD OF TRUSTEES

Date: March 2, 2020

Kind of Meeting: Regular

Place: Village Office

Board Members Present:

Kenney LaRue, Deputy Mayor

Sharon Turo, Trustee

Board Members Absent:

Lynn H. Miller, Mayor

Others Present:

Jill Mattison, Clerk/Treasurer

Patricia McCullough, Deputy Clerk, SCRPB

Shirley Rice, SCRPB

Lance Collins, SCFD Chief

Mike Yerdon, Legislator

John Howland, CEO

Steve Washburn

OPEN REGULAR MEETING AND CALL TO ORDER:

Deputy Mayor LaRue opened the meeting to order at 7:00 P.M. and led all in the Pledge of Allegiance.

APPROVAL OF MINUTES:

RESOLUTION 52 - FY19/20

On a motion by Trustee Turo, seconded by Deputy Mayor LaRue, the following resolution was ADOPTED – unanimous

Resolved that the minutes of the February 3, 2020 meeting are approved as written.

AUDIT AND APPROVAL OF MONTHLY BILLS, TRANSFERS AND ACCEPT FEBRUARY 2020 FINANCIAL STATEMENT.

RESOLUTION 53 - FY 19/20

On a motion by Trustee Turo, seconded by Deputy Mayor LaRue, the following resolution was ADOPTED – unanimous

Transfer \$367 from A5142.1 to A5130.1

Abstract 19, vouchers #240 - #244, in the amount of \$6,033.93

Abstract 20, vouchers #245 - #267, in the amount of \$7,465.81

Fund Balances: 3/2/2020

General Fund		\$332,055.67
Reserve Fire Apparatus	98,881.92	
Radios	1,644.03	
Water Fund		36,164.25
Repair Reserve	0.00	
Capital Reserve	20,145.46	
Trust & Agency		0.00
Permanent		3,280.20
Non-expendable	2,000.00	
Expendable	1,280.20	
Water Tower Capital Project		<u>381,916.40</u>
TOTAL ALL FUNDS		\$753,416.52

Resolved that the monthly bills and transfers are approved and the February 2020 financial statement was accepted.

REPORTS:

PLANNING BOARD:

Mrs. McCullough gave the report of the February 5, 2020 meeting, so noted and filed in the Village Office. A recommendation was made for the Town to recommend Tom Ready for re-appointment. The next meeting is scheduled for Wednesday.

FIRE DEPARTMENT:

Chief Collins will email the call report and list of 2020 officers to the Village office. There was no change in officers.

APPROVAL OF SCFD OFFICERS:

RESOLUTION 54-FY19/20

On a motion by Trustee Turo, seconded by Deputy Mayor LaRue, the following resolution was ADOPTED – unanimous

Resolved that the slate of SCFD officers for 2020 is approved.

Since Mayor Miller was absent, the decision on preventive maintenance of the generator was again tabled.

TABLE GENERATOR DECISION:

RESOLUTION 55 - FY19/20

On a motion by Trustee Turo, seconded by Deputy Mayor LaRue, the following resolution was ADOPTED – unanimous

Resolved to again table the decision on preventive maintenance of the generator until Mayor Miller is present.

COUNTY LEGISLATOR:

Legislator Yerdon reported that Governor Cuomo proposes amending the Article 10 process by removing local representation from the siting of large-scale renewable energy projects. This has been introduced as the Accelerated Renewable Energy Growth and Community Benefit Act. This proposes to streamline the wind and solar applications. The County Legislature voted to oppose this act, as it will eliminate Municipal Home Rule, as well as affect the economy and environment.

Legislator Yerdon also submitted a copy of the February 14, 2020 report of the North Pond Resiliency Project.

HISTORIAN: A new historian has not yet been appointed. The Town has advertised for one.

CODE ENFORCEMENT:

Kory Paro went to court but CEO Howland does not know the outcome at this time. If it is an open case, the Village may not be able to hold an administrative hearing. CEO Howland will check with the judge and attorney.

There is a septic problem at 2026 Harwood Drive (Turo property). The Health Department is monitoring the situation.

The pool at the Loveless property has been secured by Tom Pfister.

CORRESPONDENCE:

OLD BUSINESS:

NEW BUSINESS:

SCHEDULE BUDGET MEETING:

RESOLUTION 56 - FY19/20

On a motion by Trustee Turo, seconded by Deputy Mayor LaRue, the following resolution was ADOPTED – unanimous

Resolved that a budget meeting be scheduled on Monday, March 23, 2020 at 6:00 PM. This will be advertised the Watertown Daily Times.

SIGN LETTER OPPOSING REGULATING WIRELESS FACILITIES:

RESOLUTION 56 - FY19/20

On a motion by Trustee Turo, seconded by Deputy Mayor LaRue, the following resolution was ADOPTED – unanimous

Resolved, a letter be signed, addressed to Senate Majority Leader Stewart-Cousins opposing legislation that would severely restrict local government's authority to regulate wireless facilities by granting wireless service providers unfettered rights of access to the municipal right-of-way and mandate specific application procedures for wireless facilities installed in the ROW.

A letter, dated February 5, 2020, was sent to Attorney Russell from Steven Henderson regarding Caldwell's proposal of liquidated damages. They offer a deduction of \$52 250.00 to resolve the issue. This deduction includes \$32,250 for 43 days of liquidated damages at \$750 per day from

April 2, 2019 to June 5, 2029 and an additional \$20,000 to cover any additional costs the Village may have incurred due to the extended duration of the Project. If this proposed reduction is accepted by the Village, the final payment to Caldwell would be \$232,507.75.

Attorney Russell advises that the issues related to the sub-contractor are not excuses for the prime contractor. He believes the Village has three options. Accept the offer contained in the letter. Respond with some push back on the claim that the delay is excused because of the sub-contractor's inability to obtain insurance, and make a counter offer to settle. Continue with the position that liquidated damages demanded, which will likely result in dispute resolution pursuant to the provisions of the contract documents.

Jack Dodson will need a final settlement amount to close out the project. He sent settlement documents based on a proposed \$80,000 received for liquidated damages to cover costs. If this amount is agreed upon, the final settlement amount is \$219,154.75.

The Board will need time to review these figures and will discuss it further at the March 23rd budget meeting.

Since the Fire Department can no longer consider the purchase of the Widrick property, it was suggested that the Village purchase the property. Chief Collins suggested a purchase offer of \$380,000. This raises many questions that Clerk/Treasurer Mattison will research. She will also get a copy of the building assessment done by Barton & Loguidice for the Town.

PUBLIC COMMENT:

None

MOTION TO ADJOURN:

There being no further business to come before the Board, a motion to adjourn at 7:50 PM was offered by Trustee Turo and seconded by Deputy Mayor LaRue, carried.

Budget meeting – Monday, March 23, **6:00 PM**

Next Sandy Creek Village Board meeting – Monday, April 6, 2020, 7:00 PM

Next Joint Waterworks meeting – Monday, March 9, 3:30 PM
Monday, April 13, 3:30 PM

Jill M. Mattison, CMC, RMC, CMFO