

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

Date: June 4, 2018

Kind of Meeting: Regular

Place: Village Office

Board Members Present:

Grant Rohrmoser, Mayor

Kenney LaRue, Trustee

Sharon Turo, Trustee

Others Present:

Jill Mattison, Clerk/Treasurer

Patricia McCullough, Deputy Clerk, SCRPB

Shirley Rice, Planning Board

Margaret Kastler, Legislator

Lance Collins, SCFD Chief

John Howland, CEO

James and Heidi Hess

Pat McDougal

John Wood

Richard Moriarty

Allison J. Nelson, Esq.

OPEN ADMINISTRATIVE HEARING:

Mayor Rohrmoser opened the administrative hearing and called the meeting to order at 7:00 P.M. The purpose of the hearing was to determine if the property at 6078 North Main Street (19.19-04-32) owned by Michael and Serena Parker was in violation of Local Law No. 2 of 1996. Attorney Nelson swore in CEO Howland and presented the following exhibits:

1. Notice of Alleged Violation and Order to Remedy dated 12/21/17
2. Notice of Building being Condemned, dated 12/21/17
3. Second Notice/Order to Remedy, dated 2/15/18
4. Letter dated 2/28/18 to Sandy Creek Mayor and Board from CEO Howland stating the condition of 6078 N. Main Street and his recommendation that the building be repaired or demolished and removed.
5. Letter dated 3/14/18 to Michael and Serena Parker from the Village of Sandy Creek stating that the Village Board orders that the building be repaired or demolished and removed.
6. Affidavit of Service of Notice of Defective Condition (Affixing to Door, etc.) 4/18/18
7. Affidavit of Service of Notice of Defective Condition (Individual) 4/18/18
8. Affidavit of Mailing by Rachel Arnold of Nelson Law Firm 4/17/18
9. Affidavit of Mailing by Jill Mattison, Clerk/Treasurer of Village of Sandy Creek 3/14/18
10. Notice of Defective Condition regarding 6078 N. Main Street 5/22/18
11. Affidavit of Service of Notice of Defective Condition (Individual) 5/22/18
12. Affidavit of Service of Notice of Defective Condition (Affixing to Door, etc.) 5/22/18
13. Affidavit of Mailing 5/22/18 by Rachel Arnold of Nelson Law Firm
14. Five photographs taken 6/1/18 of north, south, east, west sides of structure at 6078 North Main Street, Sandy Creek and of notices placed on door.

PARKER VIOLATION OF LOCAL LAW NO. 2 OF 1996

RESOLUTION 1 - FY18/19

WHEREAS, John Howland, Code Enforcement Officer of the Village of Sandy Creek has filed an Order to Remedy Violation dated December 21, 2017 with the Village Board of the Village of Sandy Creek alleging that Michael and Serena Parker the owners of properties located at 6078 North Main Street, Village of Sandy Creek, County of Oswego, State of New York, also known as Tax Map No. 019.19-04-32, and the Village Board of the Village of Sandy Creek, after having reviewed said Orders to Remedy, having scheduled an Administrative Hearing to occur on June 4, 2018 at 7:00 p.m. or as soon thereafter as possible; and

WHEREAS, the Village Board directed Attorney to the Village Board, Allison J. Nelson, Esq., to serve a Notice of Hearing upon Michael and Serena Parker, 10 or more days prior to the Administrative Hearing, a copy of the Notice of Hearing and Affidavit of Service and Mailing having been filed with the Village Board of the Village of Sandy Creek; and

WHEREAS, an Administrative Hearing having duly been held on June 4, 2018, Allison J. Nelson, Esq., Attorney to the Village Board of the Village of Sandy Creek, and John Howland, Code Enforcement Officer for the Village of Sandy Creek, having appeared on behalf of the Village of Sandy Creek, and Michael and Serena Parker having not appeared; and

WHEREAS, the Village Board of the Village of Sandy Creek having held an Administrative Hearing at the aforesaid date and time, John Howland, Code Enforcement Officer, having testified at the aforesaid hearing, and having presented photographs of the alleged violations Local Law No. 2 of 1996; and

WHEREAS, the Village Board of the Village of Sandy Creek, after reviewing said items and after hearing testimony from the aforesaid individuals in regards to the alleged violations of Local Law No. 2 of the year 1996 pertaining to property located at 6078 North Main Street and known as Tax Parcel No. 019.19-04-32 in the Village of Sandy Creek and owned by Michael and Serena Parker and after having duly deliberated upon same, having determined said violations to be unsafe, a public nuisance, and dangerous pursuant to Local Law No. 2 of the year 1996;

NOW, THEREFORE, upon motion made by Trustee Kenney LaRue and seconded by Trustee Sharon Turo, **BE IT RESOLVED** as follows:

1. That the Village Board of the Village of Sandy Creek hereby declares that Michael and Serena Parker, did violate Local Law No. 2 of the year 1996 of the Village of Sandy Creek in that they permitted an unsecure, unsafe building on said premises, all at the premises located at 6078 North Main Street, also known as Tax Parcel No. 019.19-04-32 in the Village of Sandy Creek and owned by Michael and Serena Parker, thereby creating a public nuisance dangerous to life, health, safety and welfare.

2. Michael and Serena Parker are hereby directed to commence cleanup to the subject premises and to bring the property into compliance with Local Law No. 2 of the year 1996 on or before July 5, 2018. Michael and Serena Parker have been granted until August 6, 2018 to complete the cleanup of the subject premises.

3. In the event that Michael and Serena Parker, fails to correct the alleged violation and bring the subject premises into compliance with Local Law No. 2 of the year 1996 on or before August 6, 2018, the Village of Sandy Creek, its agents or employees, are authorized to conduct the necessary remediation work and remove the alleged violation found on the subject premises, and the cost of such removal shall be assessed against the land located at 6078 North Main Street, Village of Sandy Creek, known as Tax Parcel No. 019.19-04-32, and shall be levied and collected in the same manner as provided in Village Law for the collection of a special ad valorem levy.

4. That Allison J. Nelson, Esq., Attorney for the Village Board of the Village of Sandy Creek, is hereby directed to notify Michael and Serena Parker of the Village Board's decision and said Notice to be served in accordance with the requirements of said Local Laws.

MOTION UNANIMOUSLY ADOPTED by those members present.

GRANT ROHRMOSER, MAYOR	AYE
SHARON TURO	AYE
KENNEY LARUE	AYE

CLOSE ADMINISTRATIVE HEARING:

The hearing was closed at 7:10.

OPEN REGULAR MEETING:

APPROVAL OF MINUTES:

RESOLUTION 2 - FY18/19

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

Resolved that the minutes of the May 7 and May 21, 2018 meetings are approved as written.

AUDIT AND APPROVAL OF MONTHLY BILLS, TRANSFERS AND ACCEPT MAY 2018 FINANCIAL STATEMENT:

RESOLUTION 3 - FY 18/19

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

Abstract 1, vouchers #1 - #13 in the amount of \$394,364.57

Transfer \$1099 from A3410.4 to A3410.2
\$1003 from A8510.4 to A8170.1
\$228 from A5130.4 to A5130.1
\$257 from A7110.4 to A7110.1
\$.17 from A1990.4 to A9790.7

Fund Balances: 5/31/18

General Fund		\$228,892.42
Reserve Fire Apparatus	81,456.80	
Radios	1,636.12	
Water Fund		116,951.84
Repair Reserve	22,210.47	
Capital Reserve	20,036.40	
Trust & Agency		0.00
Permanent		3,262.19
Non-expendable	2,000.00	
Expendable	1,262.19	
Water Tower Capital Project		1,292,459.41
TOTAL ALL FUNDS		\$ 1,641,565.86

Resolved that the monthly bills and transfers are approved and the May 2018 financial statement was accepted.

REPORTS:

PLANNING BOARD:

Due to Grievance Day, the June meeting of the Planning Board was rescheduled to Wednesday, June 6, 2018, 7:00, at the Village Office.

FIRE DEPARTMENT:

No one from the department was present.

\$4,203 was left in the budget and will go to the reserve fire apparatus fund.

COUNTY LEGISLATOR:

The county tax auction will be held on Saturday, July 14 at the Oswego High School.

The study on the jail will be given to the legislature on June 26. It was done to determine if a new jail is necessary or if an addition can be made to the current facility.

HISTORIAN:

Mrs. Cole submitted the May 2018 report, so noted and filed in the Village Office. The Blount marker will be dedicated on June 30.

CODE ENFORCEMENT:

CEO Howland submitted his report of violations and permits. All but two of the junk violations have been taken care of.

The collapsed garage at the Rodriguez property has not yet been removed. This was to be done by June 1.

Howland is working on a lawn mowing law and it should be ready by the next meeting.

CORRESPONDENCE:

Charter Communications – new government affairs point of contact is Alice Kim, 315 634-6170, Alice.kim@charter.com

OLD BUSINESS:

A letter was sent to Rosemary Dashnaw confirming that the Board allowed her to remove two sections of sidewalk.

NEW BUSINESS:

RESOLUTION 4 - FY18/19

ACCEPT BID BY BTW AND SONS CONSTRUCTION

The following bids were received on ventilating the attic space in the Fire Hall:

Falso Heating and Air Conditioning – gave suggestions, no actual bid

Holbrook Heating Inc. - \$8,990.00

Over the Top Roofing – incomplete

BTW & Sons Construction - \$9,800

On a motion by Trustee LaRue, seconded by Trustee Turo, the following resolution was

ADOPTED – unanimous

Resolved that the bid of \$9,800 by BTW & Sons Construction be accepted for the following work to be done at the Sandy Creek Fire Hall: labor and materials for blown in insulation at a thickness of 15” to 18”, air baffles as needed, block off of current roof vents as needed, new wall mounted power vent with electric hook up, and attic access opening for future entry.

PUBLIC COMMENT:

Richard Moriarty, 6104 N. Main Street inquired if “No Parking” signs could be placed on the east side of Rt. 11 near his residence. Tractor trailers (many from Anderson Trucking Company) park there and create a hazard, especially during the winter, impeding plowing. The sidewalk and grassy area between it and the road are being destroyed. Mayor Rohrmoser will call the DOT on the matter. It was thought that the village could restrict parking through a local law even though it is a state route.

James and Heidi Hess again attended requesting a formula to determine the laundromat EDUs. Jack Dodson is due to check the treatment plant soon and will meet with them. Clerk/Treasurer Mattison will notify them when the date is known.

Pat McDougal wanted an update on the Franklin Street guardrail. She submitted photographs of a TOPS truck blocking the street and of two cement barricades on the TOPS side of Franklin Street in the right-of-way. She wants to know why the village is not concerned with those barricades. It was thought that they were possibly protecting the septic tank. The county will be coming to lay out the area for the guard rail. TOPS was to tell the truckers not to block the street. Mayor Rohrmoser can call the District Manager if necessary.

G&G Consulting sent out 249 Household Characteristics Surveys and 198 were filled out and returned. Jay Grasso has started visiting households that haven’t returned them.

A sewer odor was noted near the corner of Franklin and Ellisburg Streets. The county health department should be notified.

The fire department has permission to access the creek from the Gas Mart road.

MOTION TO ADJOURN:

There being no further business to come before the Board, a motion to adjourn at 8:10 P.M. was offered by Trustee LaRue and seconded by Trustee Turo, carried.

Water tank progress meeting – Wednesday, June 6, 2:00 PM, Village Office

Next Sandy Creek Village Board meeting – Monday, July 2, 2018, 7:00 PM

Next Joint Waterworks meeting – Monday, June 11, 2018, 10:00 AM

Monday, July 9, 2018, 10:00 AM

Jill M. Mattison, CMC, RMC, CMFO