

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

**Date:** August 6, 2018

**Kind of Meeting:** Regular

**Place:** Village Office

**Board Members Present:**

Grant Rohrmoser, Mayor

Sharon Turo, Trustee

Kenney LaRue, Trustee

**Others Present:**

Jill Mattison, Clerk/Treasurer

Patricia McCullough, Deputy Clerk, SCRPB

Lance Collins, SCFD Chief

Tammy Miller

Pat McDougal

**OPEN PUBLIC HEARING AND CALL TO ORDER:**

Mayor Rohrmoser opened the public hearing to order at 7:00 P.M. The purpose of the public hearing was to hear comments on proposed Local Law #2 of 2018, a local law regulating grass and lawn maintenance in the Village of Sandy Creek. Trustee LaRue would like to see Section 2 – Lawn Maintenance changed from 9 inches to 6 inches. No other comments were received.

**CLOSE PUBLIC HEARING**

**OPEN REGULAR MEETING**

**OPEN BIDS FOR DEMOLITION AND CLEANUP OF THE PROPERTY LOCATED AT 6078 N. MAIN STREET**

Two bids were received and opened:

Coffin's Gravel & Excavating, Inc.                 \$8,800.00

Independent Commercial Contractors Inc.     \$30,000.00

The contract was not awarded at this time since the Board would like the CEO to review the bids.

**APPROVAL OF MINUTES:**

**RESOLUTION 10 - FY18/19**

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

**Resolved** that the minutes of the July 2, 2018 meeting are approved as written.

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

**RESOLUTION 11 - FY 18/19**

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

Abstract 4, vouchers #44 - #50 in the amount of \$5,690.74

Abstract 5, vouchers #51 - #75 in the amount of \$33,682.74

Transfer \$2,025.00 from A1990.4 to A1910.4

          \$3,732.00 from A1990.4 to A8686.4

**Fund Balances: 7/31/18**

General Fund		\$441,158.43
Reserve Fire Apparatus		85,674.51
Radios		1,636.38
Water Fund		104,005.93
Repair Reserve		22,214.29
Capital Reserve		20,039.84
Trust & Agency		0.00
Permanent		3,262.73
Non-expendable	2,000.00	
Expendable	1,262.73	
Water Tower Capital Project		<u>769,577.60</u>
<b>TOTAL ALL FUNDS</b>		<b>\$ 1,318,004.69</b>

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

**REPORTS:**

PLANNING BOARD:

Mrs. McCullough gave the report of the July 3, 2018 meeting, so noted and filed in the Village Office. The Planning Board is working on the budget since it is due to the town next month. They are requesting a \$10 raise and would like to pay alternate members. Due to the fair and vacations, the Planning Board will not meet in August.

FIRE DEPARTMENT:

Chief Collins was unable to give a written report due to a computer glitch. Trucks are going in for preventive maintenance. The insulation work has been completed at the Fire Hall. The washer and dryer have been installed. The DMV form may be sent certified to Gouverneur or Chief Collins may drive there to take of it.

COUNTY LEGISLATOR:

Legislator Kastler was excused.

HISTORIAN:

Mrs. Cole submitted the July 2018 report, so noted and filed in the Village Office.

CODE ENFORCEMENT:

CEO Howland was absent; no report

**CORRESPONDENCE:**

Oswego County Industrial Development Agency – a public hearing has been scheduled on undertaking and granting financial assistance to Howland Solar, LLC on Friday, August 17 at 9:00 AM in the Village Office.

**OLD BUSINESS:**

The Board received Jay Grasso’s report on the household income survey. There was a 62.3% response rate which exceeds the required LMI National Objective Compliance Requirement and USDA RD response rates. The median household income was \$35,555 which is below the USDA hardship level of \$45,505 and qualifies the village for hardship status. 62.9% of village residents live in hardship status (51% or more is required). The village now qualifies for grant programs through CDBG, USDA and NYS EFC. The Board would like Jay to come to a meeting to discuss what grants are available.

**NEW BUSINESS:**

**ADOPT LOCAL LAW #2 OF 2018:**

**RESOLUTION 12 - FY18/19**

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

**Resolved** that Local Law #2 of 2018, a local law regulating grass and lawn maintenance in the Village of Sandy Creek be adopted.

County \_\_\_\_\_  
City of Sandy Creek  
~~Town~~ \_\_\_\_\_  
Village \_\_\_\_\_

Local Law No. 2 of the year 20 18

A local law regulating grass and lawn maintenance in the Village of Sandy Creek  
(Insert Title)

Be it enacted by the Village Board of the

(Name of Legislative Body)

County  
City of Sandy Creek as follows:  
Town  
Village

**SECTION 1 - PURPOSE AND INTENT**

It is the intent of this law to protect the health and welfare of the residents in the Village of Sandy Creek, to prevent unkempt lawns from the growth of weeds, grass and other vegetation, and to prevent the accumulation of dead weeds, grass and bush, which become noxious and a fire hazard.

**SECTION 2 – LAWN MAINTENANCE**

It shall be unlawful for any owner, lessee or occupant, or any agent or employee of any such owner, lessee or occupant having control of any occupied or unoccupied lot or land in the Village of Sandy Creek to permit or maintain on any such lot or land or on or along any sidewalk, street or adjacent alley, any growth or weeds, grass or other vegetation to a greater height than six inches (6”) on the average, or any accumulation of dead weeds, grass or brush.

It shall also be unlawful for any such person to cause, suffer or allow poison ivy, ragweed or other poisonous plants or plants detrimental to health to grow on any such lot or land in such manner that any part of such poison ivy, ragweed or other poisonous or harmful weed shall extend upon, overhang or border any public place or allow the seed, pollen or other poisonous particles or emanation therefrom to be carried through the air into any public place.

**SECTION 3 – DUTIES OF OWNERS AND OCCUPANTS**

It shall be the duty of any owner, lessee or occupant of any lot or land to cut and remove or cause to be cut and removed all such weeds, grass or other rank, poisonous or harmful vegetation as often as may be necessary to comply with the above provisions.

**SECTION 4 – FAILURE TO COMPLY**

If the provisions of the foregoing sections are not complied with, the Code Enforcement Officer shall serve written notice, either personally by certified mail or by regular mail and posting notice on the property, upon the owner, lessee or occupant or any person having the care or control of any such lot or land to comply with the provisions of this law. If the person upon whom the notice is served fails, neglects or refuses to cut and remove or to cause to be cut and removed such weeds, grass or other vegetation within ten (10) days after receipt of such notice, or if no person can be found in the Village of Sandy Creek who either is or claims to be the owner of such lot or land or who either represents or claims to represent such owner, the Code Enforcement Officer shall cause such weeds, grass and other vegetation on such land or lands to be cut and removed. The landowner shall be responsible for the actual cost of such cutting and removal, plus an administrative fee to be set from time to time by resolution of the Village Board. The Code Enforcement Officer shall certify to the Village Treasurer said amount and thereupon shall become and be a lien upon the property, in which said weeds, grass and other vegetation were located, and shall be added to and become and form a part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer in the same manner as taxes.

**SECTION 5 – EFFECTIVE DATE**

This local law shall be effective upon filing in the office of the Secretary of State.

**POST NOTICE OF TERMINATION ON PROPERTIES WITH OUTSTANDING WATER BILLS  
RESOLUTION 13 - FY18/19**

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

**Resolved** that the Board directs Harold Brown to physically post Notice of Termination on the properties of those still having an outstanding May 1, 2018 water bill and such notice shall state unless paid by noon, August 17, 2018 the service will be disconnected; and **further be it resolved** that the fee for posting the notice is \$25 and must be paid along with water payment due.

#### **SCHEDULE PUBLIC HEARING ON CABLE FRANCHISE AGREEMENT:**

##### **RESOLUTION 14 - FY18/19**

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

**Resolved** that a public hearing be scheduled for Wednesday, September 5, 2018 at 7:00 PM in the Village Office, 11 Park Ave., Lacona, NY regarding the proposed cable television agreement between Time Warner Cable Northeast LLC, l/k/a Charter Communications and the Village of Sandy Creek.

#### **ADVERTISE FOR BIDDERS FOR CONTRACT NO. 3 – WATER SERVICES IMPROVEMENT**

##### **RESOLUTION 15 - FY18/19**

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

**Resolved** that the Village of Sandy Creek will advertise for bidders for contract No. 3: Water Services Improvements includes installation of nine (9) water services along US Route 11 North/South and removal and replacement of an 8 inch gate valve at the intersection of Park Street/US 11 North. Work includes excavation and directional drill of water services to the property line, connection to the existing water services, cut/cap of existing water mains, pavement restoration, miscellaneous work and final cleanup and site restoration. Proposals will be received by the Village Clerk by certified mail or by personal delivery until 2:00 pm on the 30<sup>th</sup> day of August and then at 2:05 pm publicly opened and read aloud at the Village Office.

1. The work of Contract No. 3 is generally described as follows: Water Services Improvements includes installation of nine (9) water services along US Route 11 North/South and removal and replacement of an 8-inch gate valve at the intersection of Park Street/US Route 11 North. Work includes excavation and directional drill of water services to the property line, connection to existing water services, cut/cap of existing water mains, pavement restoration, miscellaneous work and final cleanup and site restoration.
2. The Bid for Contract No. 3 includes two options. Option A includes completing all work during fiscal year 2018. Option B includes completing three water services (US Route 11 North) and replacing the gate valve on Park Street during fiscal 2018 and installing five new water services US Route 11 South during the spring 2019.

Clerk/Treasurer Mattison presented copies of the Annual Financial Report for FY 2017/2018 to the Board. They will need to schedule a time to audit the books.

#### PUBLIC COMMENT:

Pat McDougal asked to see a map of the TOPS easement. Clerk Mattison showed her a copy of the recorded deed. Mrs. McDougal stated that pallets and milk crates are piled within six inches of the pavement. Vendor trucks are still parking and blocking the street. She was advised to call the police or a Board member who will report it. Mayor Rohrmoser will again speak to the TOPS District Manager.

Tammy Miller, Town Clerk and village resident, addressed the Board with her concerns on the demolition of the house at 6078 North Main Street. She predicts that the demolition costs will be added to the village tax bill and will not be paid. Oswego County will no longer allow relevy of these costs. Due to the income of village residents being at the hardship level, she is of the opinion that the village cannot afford these demolitions. In 2014 the County of Oswego passed a resolution directing the treasurer's office to relevy only certain charges allowed by law. The

Town of Sandy Creek passed a resolution opposing the county's resolution. Mrs. Miller suggested the village do the same.

**OPPOSING COUNTY OF OSWEGO RESOLUTION NO. 134 OF 2014, A RESOLUTION DIRECTING THE TREASURER'S OFFICE TO RELEVY ONLY CERTAIN CHARGES ALLOWED BY LAW  
RESOLUTION 16 - FY18/19**

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

**WHEREAS**, the Oswego County Legislature passed a resolution on June 12, 2014 directing the County Treasurer to cease the re-levy of fees or charges other than delinquent real property taxes, penalties, interest, sewer and water charges, and solid waste charges or those taxes, interest, penalties, charges, and fees, allowed specifically by current or subsequently enacted state statute; and

**WHEREAS**, a clean, wholesome, attractive environment is declared to be of importance to the health and safety of the residents of the Village of Sandy Creek, and the general welfare of its citizens. It is further declared that unsecured vacant buildings, unsafe buildings and the unrestrained accumulation of junk are hazardous to the health, safety and welfare of citizens of the Town, necessitating the regulation, restraint, and elimination thereof; and

**WHEREAS**, the Village Board of the Village of Sandy Creek has had great success in addressing unsecured vacant buildings, demolishing unsafe buildings and removing the accumulation of junk on private property in violation of the Village's local laws by re-levying the cost of such onto the tax bills of the offending property owners prior to the enactment of Oswego County Resolution No. 134 of 2014; and

**WHEREAS**, the Village Board of the Village of Sandy Creek is concerned with the implications and unintended consequences of Oswego County Resolution No. 134 of 2014 and the impact of such resolution on the Village of Sandy Creek and its residents by severely limiting local enforcement methods to secure unsecured vacant buildings, to remove or demolish unsafe buildings and to remove the accumulation of junk in violation of the Village's local laws; and

**WHEREAS**, the Village Board overwhelmingly supports the repeal of the Oswego County Resolution No. 134 of 2014 in an effort to better serve the public, and maintain the health, safety and general welfare of the residents of the Village of Sandy Creek and encourages the County of Oswego to find other ways to curtail costs; and

**NOW THEREFORE**, upon a motion made by Trustee LaRue and seconded by Trustee Turo and after due deliberation, it is hereby

**RESOLVED**, that the Mayor of the Village of Sandy Creek is authorized to send a letter to the Chairman of the County of Oswego Legislature stating the Village Board of the Village of Sandy Creek's opposition to Oswego County Resolution No. 134 of 2014, copied to the Legislature representing the Village of Sandy Creek.

**MOTION TO ADJOURN:**

There being no further business to come before the Board, a motion to adjourn at 8:30 P.M. was offered by Trustee LaRue and seconded by Trustee Turo, carried.

**Next Sandy Creek Village Board meeting – Wednesday, September 5, 7:00 PM**

**Next Joint Waterworks meeting – Monday, August 13, 10:00 AM**

**Monday, September 10, 10:00 AM**

Jill M. Mattison, CMC, RMC, CMFO