TOWN OF SANFORD

SPECIAL MEETING **JANUARY 29, 2021**

SPECIAL ACCOUNTING MEETING
(ANNUAL REVIEW OF TOWN JUSTICE COURT FINANICIAL RECORDS 2020)

PRESENT:	**Dewey A. Decker**	**Supervisor**
	Jay Vandermark	**Councilman**
	Kenny Wist	**Councilman**
	Alice Ray	**Councilman**
	Shane Lester	**Councilman-Absent**
ALSO PRESENT:	**Gerald Seymour**	**Highway Superintendent**
	Alison Lang	**Town Clerk**
	Gary Holdrege	**Town Justice**

Supervisor Dewey A. Decker called the Special Meeting to order at 9:00 AM with the Pledge of Allegiance led by Councilman Jay Vandermark at the Town Hall, 91 Second Street, NY 13754.

Supervisor Decker spoke on approving various exhibits to the Road Use Agreement between the Town of Sanford and Bluestone Wind, LLC. Seymour explained, with the approval of the exhibits especially those with depict routes is conditional upon Bluestone's continuing compliance with Local Law No. 1 of 2019 entitled, " A Local Law Authorizing the Temporary Exclusion of Vehicles with a Gross Weight of over four tons from certain roads, as amended by Local Law No. 2 of 2020. A video of the roads was taken and Seymour suggested another video be taken once roads are cleaned off in the spring. On a motion made by Alice Ray, seconded by Kenny Wist and all approved the following resolution.

#28-RESOLUTION-2021

RESOLUTION APPROVING VARIOUS EXHIBITS TO THE ROAD USE AGREEMENT BETWEEN THE TOWN OF SANFORD AND BLUESTONE WIND, LLC

At a special meeting of the Town Board of the Town of Sanford, held at Sanford Town Hall, 91 Second Street, Deposit, New York on the 29th day of January, 2021, the following resolution was offered and seconded:

WHEREAS, the Town of Sanford, on July 10, 2018, approved and entered into a Road Use Agreement ("RUA") with Bluestone Wind, LLC ("Bluestone"), which, among other things, obligates Bluestone to fix damage to the Town's roads caused by its tree clearing and construction activities in connection with the Bluestone Wind project; and

WHEREAS, the RUA provides that additional exhibits to be attached thereto would be presented to the Town prior to the commencement of tree clearing/construction, specifically, Exhibits A-1 ("List of Roads"), A-2 ("Map of Roads"), B-1 ("Locations of Underground Cables") B-2 ("Locations of Overhead Cables and Utility Poles"), C (Locations of Temporary Construction easements and Turning Radii") and D("Locations of Driveways and Curb Cuts") (collectively, the "Exhibits"); and

WHEREAS, the Town has received said Exhibits and has, together with the Town Highway Superintendent and GHD, the Town's Consulting Engineer/Compliance Monitor for the Bluestone Wind Project, conducted a careful review thereof; and

WHEREAS, per the RUA, within 30 days of the receipt of said Exhibits, the Town must either (a) approve said Exhibits, or (b) provide Bluestone with reasonable revisions thereto; and

WHEREAS, after reviewing said Exhibits, the Highway Superintendent and GHD are satisfied with the lists, maps and drawings contained therein; and

WHEREAS, approval of said Exhibits to the RUA is a Type II action under the State Environmental Quality Review Act ("SEQRA") and its implementing regulations, inasmuch as the action is part of the "routine or continuing agency administration and management" of the Town's rights and obligations under the previously approved RUA (6 NYCRR 617.5 (c) (26)). Thus, no determination of significance regarding its potential environmental impact is required; and

WHEREAS, the Town Board, after due deliberation, and upon the recommendation of the Highway Superintendent and GHD, finds that the said Exhibits are complete, adequate, and should be approved in accordance with the Town's obligations under the RUA.

NOW THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Sanford that it hereby approves the following Exhibits to the RUA as submitted by Bluestone, in the form in which they exist on the date of this Resolution:

- A-1 ("List of Roads"),
- A-2 ("Map of Roads")
- B-1 ("Locations of Underground Cables")
- B-2 ("Locations of Overhead Cables and Utility Poles")
- C (Locations of Temporary Construction easements and Turning Radii")
- D ("Locations of Driveways and Curb Cuts")

BE IT FURTHER RESOLVED, that the approval of said Exhibits, particularly those that list and depict haul routes, is conditional upon Bluestone's continuing compliance with Local Law No. 1 of 2019 entitled, "A Local Law Authorizing the Temporary Exclusion of Vehicles with a Gross Weight of Over Four tons from Certain Town Roads", as amended by Local Law No. 2 of 2020; and

BE IT FURTHER RESOLVED, that if Bluestone is unable to utilize the depicted haul routes in compliance with said Local Law, the Town Board shall, in accordance with the terms of the RUA, require the routes to be amended and new Exhibits submitted such that compliance with said Local Law is achieved; and

BE IT FURTHER RESOLVED, that this resolution will take effect immediately.

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Roll call vote was taken as follows: Supervisor Dewey A. Decker: AYE; Councilman Kenny Wist: AYE; Councilman Jay Vandermark: AYE; Councilman Alice Ray: AYE; NOES: None.
CARRIED. Dated: January 29, 2021.

Supervisor Decker called the Special Accounting Meeting of the Town Board to order, in the Town Hall, 91 Second Street, Deposit, NY 13754. This special meeting is to review by audit the Town of Sanford Justice Court Records for Year 2020, to be in compliance with Section 2019a of the Uniform Justice Court.

Legal Notice for this Special Accounting Meeting was published in the Town's Official Newspaper the Deposit Courier on January 27, 2021 and posted on the Town of Sanford sign board and website on January 25, 2021.

The records were reviewed by the Town Board members. On a motion made by Jay Vandermark, seconded by Kenny Wist and all approved the following Resolution.

#29-RESOLUTION-2021

RESOLUTION ACKNOWLEDGING COMPLETION OF EXAMINATION OF JUSTICE COURT RECORDS

At a special meeting of the Town Board of the Town of Sanford, held on the 29th day of January, 2021 at Town Hall, 91 Second Street, Deposit, New York, the following resolution was offered and seconded"

WHEREAS, Section 2019-a of the New York State Uniform Justice Court Act sets forth, in relevant part, the following:

> "It shall be the duty of every such justice, at least once a year and upon the last audit day of such village or town, to present his records and docket to the auditing board of said village or town, which board shall examine the said records and docket, or cause same to be examined and a report thereon submitted to the board by a certified public accountant, or a public accountant and enter in the minutes of its proceedings the fact that they have been duly examined, and that the fines therein collected have been turned over to the proper officials of the village or town as required by law. Any such justice who shall willfully fail to make and enter in such records and docket forthwith, the entries by this section required to be made or to exhibit such records and docket when reasonably required, or present his records and docket to the auditing board as herein required, shall be guilty of a misdemeanor and shall, upon conviction, in addition to the punishment provided by law for a misdemeanor, forfeit his office";

and

WHEREAS, the Justice Court of the Town of Sanford timely presented its records and dockets to the auditing board of the Town of Sanford; and

WHEREAS, the auditing board duly examined all of the Justice Court's records and dockets for the fiscal year ending December 31, 2020 and found there to be no issues therewith.

NOW, THEREFORE, BE IT RESOLVED that Town Board of the Town of Sanford hereby acknowledges that the required examination of the Town Justice Court's records was conducted and that no issues were identified during said examination; and it is further

RESOLVED, that the Town Clerk is directed to send a copy of this resolution to the appropriate contact at the NYS Office of Court Administration; and it is further

RESOLVED that this resolution will take effect immediately.

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Roll call vote was taken as follows: Supervisor Dewey A. Decker: AYE; Councilman Kenny Wist: AYE; Councilman Jay Vandermark: AYE; Councilman Alice Ray: AYE; NOES: None.
CARRIED. Dated: January 29, 2021.

Since no further business was at hand, on a motion made by Kenny Wist, seconded by Jay Vandermark, and all approved that the Meeting by adjourned at 10:40 PM.

Alison Lang

Alison Lang, Town Clerk