

TOWN OF SANFORD

REGULAR MEETING

October 10, 2023

PRESENT:	Kenny Wist	Supervisor
	Jay Vandermark	Councilman
	Alice Ray	Councilman
	Shane Lester	Councilman
	Dan Andresen	Councilman

ALSO PRESENT:	Leo Shew	Highway Superintendent
	Alison Lang	Town Clerk

Supervisor Kenny Wist called the Regular Meeting to order at 7:00pm with the Pledge of Allegiance led by Jay Vandermark at the Town Hall, 91 Second Street, Deposit, NY 13754.

Supervisor Wist gave the floor to Code Enforcement Officer Pete Hathaway. Pete presented the report for September 2023. Pete issued several building permits, a demo permit, completed an inspection and processed several site plan applications. On a motion made by Jay Vandermark, seconded by Shane Lester and all approved the Code report.

Supervisor Wist gave the floor to Highway Superintendent, Leo Shew. Shew spoke on recent washouts, shoulder cutting and ditch clearing. Supervisor Wist spoke on receiving an email from a resident who is very pleased with work completed by the Highway Department.

Public Hearing #1

Supervisor Wist opened the Public Hearing to hear comments and objections to a Local Law to override the Tax Levy Limit established in General Municipal Law for Fiscal Year 2024.

The Public Hearing closed at 7:13pm. On a motion made by Shane Lester, seconded by Dan Andresen and 4 of 5 Councilmen approved the following Resolution:

#41-RESOLUTION-2023 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIAPL LAW §3-C

WHEREAS, the Town Board of the Town of Sanford at its regular meeting held on October 10, 2023, introduced proposed Local Law No. 3 of the Year 2023, entitled, "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C"; and

WHEREAS, at said meeting, the Town Board gave notice that a public hearing will be held regarding said proposed Local Law on October 10, 2023 at 7:00 p.m. at the Town Hall; and

WHEREAS, said public hearing was duly held on the 10th day of October, 2023 at 7:00 p.m., at which all parties in attendance were permitted an opportunity to speak in support of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the adoption of this proposed Local Law does not constitute an "action", as that term is defined by the State Environmental Quality Review Act (SEQRA) and its implementing regulations and, thus, no formal environmental review is required; and

WHEREAS, the Town Board of the Town of Sanford, after due deliberation, finds it in the best interest of the Town to adopt said local law.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Sanford hereby adopts Proposed Local Law No. 3 of the Year 2023 as Local Law No. 3 of the Year

2023 entitled "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C"; and

BE IT FURTHER RESOLVED the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State; and

BE IT FURTHER RESOLVED that this resolution will take effect immediately upon filing with the Department of State.

A Roll Call Vote was taken as follows: Supervisor Kenny Wist: AYE; Councilman Jay Vandermark: AYE; Councilman Alice Ray: NO; Councilman Shane Lester: AYE; Councilman Dan Andresen: AYE; NOES: One; CARRIED: Dated: October 10, 2023.

Public Hearing #2

Supervisor Wist opened the Public Hearing to hear comments and objections to the Delhi Telephone Company Franchise Agreement. The Public Hearing closed at 7:15pm. On a motion made by Dan Andresen, seconded by Jay Vandermark and all approved the Delhi Telephone Company Franchise Agreement.

**#42-RESOLUTION-2023
APPROVING THE DELHI TELEPHONE
COMPANY FRANCHISE AGREEMENT**

WHEREAS, Pursuant to the Town Law the Board has the exclusive power on behalf of the Municipality to grant franchises providing for or involving the use of the Streets (as defined in Section 1 hereof) and to give the consent of the Municipality to any franchisee for or relating to the occupation or use of the Streets; and

WHEREAS, Pursuant to the Communications Act of 1934, as amended (the "Communications Act"), the Board has the authority to grant cable television franchises and renewals thereof on behalf of the Municipality and whereas the Board and the Company pursuant to said federal law and pursuant to applicable state laws and the regulations promulgated thereunder, have complied with the franchise procedures required of Municipalities and cable operators in the grant of cable television franchises or their renewal; and

WHEREAS, the Municipality has conducted negotiations with the Company and has conducted one or more public hearings on the Company's franchise proposal affording all interested parties due process including notice and the opportunity to be heard; said deliberations included consideration and approval of the Company's technical ability, financial condition, and character; said public hearing also included consideration and approval of the Company's plans for constructing and operating the cable television system; and

WHEREAS, following such public hearings and such further opportunities for review, negotiations and other actions as the Board deemed necessary and that is required by law, the Board decided to grant Company's franchise as provided hereinafter; and

WHEREAS, The Board, in granting this franchise, embodied in the agreement the results of its review and any negotiations with the Company and has determined that said franchise agreement and the Company respectively, fulfills and will fulfill the needs of the Municipality with the respect to cable television service and complies with the standards and requirements of the New York Public Service Commission; and

NOW, THEREFORE, in consideration of the forgoing clauses, which clauses are hereby made a part of this franchise agreement, and the mutual covenants and agreements herein contained, the parties hereby covenant and agree.

A Roll Call Vote was taken as follows: Supervisor Kenny Wist: AYE; Councilman Jay Vandermark: AYE; Councilman Alice Ray: AYE; Councilman Shane Lester: AYE; Councilman Dan Andresen: AYE; NOES: None; CARRIED: Dated: October 10, 2023.

Supervisor Wist gave the floor to guests. Guests spoke on the constant wind turbine noise. Supervisor Wist advised guests to call the Bluestone complaint line and he will follow-up with Bluestone.

Supervisor Wist spoke on holding a Public Hearing to hear comments and objections and review the proposed 2024 Year Budget for the Oquaga Lake Sewer District. On a motion made by Jay Vandermark, seconded by Alice Ray and all approved the following resolution.

**#43-RESOLUTION-2023
A RESOLUTION SCHEDULING A PUBLIC
HEARING TO HEAR OBJECTIONS ON THE PROPOSED 2023 YEAR BUDGET
& ASSESSMENT FOR THE OQUAGA LAKE SEWER DISTRICT**

The Town Board of the Town of Sanford, duly convened on October 10, 2023, does hereby RESOLVE as follows:

Section 1. The Town Board of the Town of Sanford shall hold a Public Hearing on Tuesday, November 14, 2023, commencing at 6:30pm, at the Sanford Town Hall, 91 Second Street, Deposit NY 13754, to hear objections and review the proposed 2024 Budget for the Oquaga Lake Sewer District.

Section 2. The Town Clerk of the Town of Sanford is hereby authorized, empowered and directed to:

- (a.) Immediately publish a Legal Notice as to said Public Hearing in the Deposit Courier (the official Newspaper of the Town of Sanford) and post a copy thereof on the Town Clerk's sign board.
- (b.) Immediately serve a copy of the proposed Resolution, together with a copy of the notice of Public Hearing thereon, upon any other Government Officers, Boards, Departments, or Entities, if such service is required by applicable provision of Law.
- (c.) Immediately mail letters to real property owners in the Oquaga Lake Sewer District informing them of Public Hearing and stating said Hearing is for the purpose of reviewing any objections made to the assessment in connection with the facilities, equipment, operation and maintenance of the Sewer District for the year 2024, with letter also to the President of the Oquaga Lake Association.

Section 3. This Resolution shall take effect immediately.

A Roll Call Vote was taken as follows: Supervisor Kenny Wist: AYE; Councilman Jay Vandermark: AYE; Councilman Alice Ray: AYE; Councilman Shane Lester: AYE; Councilman Dan Andresen: AYE; NOES: None; CARRIED: Dated: October 10, 2023.

Supervisor Wist gave the floor to Scott Conklin, Oquaga Lake Sewer Administrator. He presented the board with the report for September 2023. On a motion made by Alice Ray, seconded by Jay Vandermark and all approved the Oquaga Lake Sewer Report.

The Dog Control Officers report was reviewed. On a motion made by Alice Ray, seconded by Dan Andresen and all accepted the DCO report for September 2023.

The Assessor's report was reviewed. On a motion made by Jay Vandermark, seconded by Shane Lester and all accepted the Assessor's report for September 2023.

The Minutes of the Regular Meeting, dated: 9/12/23 were presented to the Board. On a motion made by Dan Andresen, seconded by Jay Vandermark and all approved the Minutes of 9/12/23.

The Clerk's report of September 2023 was presented to the Town Board. On a motion made by Jay Vandermark, seconded by Alice Ray and all approved the Clerk's Report of September 2023.

The Monthly report for August 2023 was reviewed. On a motion made by Dan Andresen, seconded by Alice Ray and all approved the August 2023 monthly report.

Supervisor Wist spoke on scheduling a budget workshop. The Town Board will meet on Tuesday, October 17th at 7pm.

Supervisor Wist spoke on approving a Town of Sanford Justice Court application for Justice Court Assistance Program Funds. On a motion made by Alice Ray, seconded by Jay Vandermark and all approved the following Resolution.

#44-RESOLUTION-2023
APPROVING TOWN OF SANFORD JUSTICE COURT APPLICATION FOR
JUSTICE COURT ASSISTANCE PROGRAM FUNDS

WHEREAS, the Town of Sanford Justice Court has requested that the Town assist in completing and submitting an application for funding from the Justice Court Assistance Program ("JCAP"), through the New York State Office of Court Administration ("OCA"); and

WHEREAS, Section 138.3 of the OCA regulations require all applications for JCAP funding be accompanied by "a certified copy of a resolution of the legislative body of each municipality that is a party to the application evidencing its authorization thereof"; and

WHEREAS, the Town Board wishes to support the efforts of the Justice Court to secure JCAP funding, and believes that securing such funding is in the best interest of the Justice Court and the Town.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Sanford authorizes the completion and submittal of an application for JCAP funding to benefit the Town Justice Court; and be it further

RESOLVED that the Town Supervisor is hereby authorized to execute any documents and/or take any actions necessary to ensure the completion and submittal of said application; and be it further

RESOLVED that this resolution shall take effect immediately.

A Roll Call Vote was taken as follows: Supervisor Kenny Wist: AYE; Councilman Jay Vandermark: AYE; Councilman Alice Ray: AYE; Councilman Shane Lester: AYE; Councilman Dan Andresen: AYE; NOES: None;
CARRIED: Dated: October 10, 2023.

Bills were presented to the Board.

The Motion was made by Councilman Shane Lester, seconded by Dan Andresen and all approved that the Bills be paid as presented:

The Total Amounts and Voucher Numbers submitted to the Town Clerk by the Supervisors Secretary.

Date of Audit: 10/10/23 Abstract #10-General: \$34,420.71-Voucher #579-582, 585-587, 592, 594-609; Highway: \$408,584.49-Voucher #593,610-631; Sewer O & M: \$10,130.76-Voucher #583-584,588,632-636; T&A: \$6,891.04-Voucher #589-591.

Since no further business was at hand, on a motion made by Alice Ray, seconded by Jay Vandermark and all approved that the Meeting be adjourned at 7:53 PM.

Alison Lang, Town Clerk