

# TOWN OF SANFORD

REGULAR MEETING

October 8, 2024

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

ALSO PRESENT:	Leo Shew	Highway Superintendent
	Kristin Canedo	Deputy Town Clerk

Guests: Mark Millspaugh, 439 Oquaga Lake Rd; Paul Langbehn, BKK; Scott Bowie, 3172 Old Rt 17; Deborah Proffitt, 129 Blueberry Dr

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 Scott Conklin. Scott Conklin presented the Oquaga Lake Sewer report for September 2024. On a motion made by Jay Vandermark, seconded by Alice Ray and all approved the Oquaga Lake Sewer report.

Supervisor Wist mentioned that Delaware Engineering is completing survey work around Oquaga Lake as the first part of the Environmental Planning Grant and should continue over the next few weeks.

Supervisor Wist spoke on holding a Public Hearing to hear comments and objections and review the proposed 2025 Year Budget for the Oquaga Lake Sewer District. On a motion made by Alice Ray, seconded by Jay Vandermark and all approved the following resolution.

**#55-RESOLUTION-2024**  
**A RESOLUTION SCHEDULING A PUBLIC**  
**HEARING TO HEAR OBJECTIONS ON THE PROPOSED 2025 YEAR BUDGET**  
**& ASSESSMENT FOR THE OQUAGA LAKE SEWER DISTRICT**

The Town Board of the Town of Sanford, duly convened on October 8, 2024, does hereby RESOLVE as follows:

Section 1. The Town Board of the Town of Sanford shall hold a Public Hearing on Friday, November 8, 2024, commencing at 6:00pm, at the Sanford Town Hall, 91 Second Street, Deposit NY 13754, to hear objections and review the proposed 2025 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 2025, with letter also to the President of the Oquaga Lake Association.

Section 3. This Resolution shall take effect immediately.

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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 8, 2024.

Supervisor Wist gave the floor to Code Enforcement Officer Pete Hathaway. Pete presented the report for September 2024. Pete issued several building permits and completed multiple inspections, as well as declared a home unsafe after an accident. On a motion made by Shane Lester, seconded by Dan Andresen and all approved the Code report.

Supervisor Wist gave the floor to Highway Superintendent, Leo Shew. Shew spoke on Perry Road and Clark Road still be closed to all traffic due to storm damage from Hurricane Debby. Griffiths Engineering is working on the pipes as well as the DEC permits for these roads. Temporary repairs have been made to Hawkins Road, that is now open to single lane traffic. Shew is working with New York State Emergency Services regarding storm damage in preparation for the arrival of FEMA. Most of the storm damage has been remedied.

Supervisor Wist opened the meeting up to public comment at 7:14.

Paul Langbehn from BKK asked if any documentation had been received by the Town from the Wind Farm for traffic permits, road sign-offs and the buyouts. Wist explained that the Town has received all of the information and the committee was in the middle of reviewing it and would contact the Wind company in the next few weeks.

Gerald Seymour stated that with the agreement between the Town and the Wind company, all of the roads must be made to be in the same condition if not better than before the project started. He specifically sited Loomis Hill Rd as a road he felt was not up to par compared to pre-windmill traffic. Supervisor Wist explained that the Road Committee has been diligent in ensuring that all of the roads as a whole have been returned to their previous condition and in most cases exceeded expectations. Most previous stone and oil

roads now are blacktop and regarding the mentioned Loomis Hill, it may not be the two layers of stone and oil but a process has been applied that is equivalent in durability.

Jody Seymour requested a date for the camera. Supervisor Wist explained the camera to view the underdrains on Upper Big Hollow Road would be October 30.

Paul Langbehn from BKK gave an update on the ALDS (Aircraft Lighting Detection System). He explained that mechanically all components are set up, but to be a full commissioning system depends on fiber optics which are not hooked up at this point; that will be completed by spring 2025. Once operational, there will only be four windmills with constant blinking lights. All other windmills will be on the aircraft detection mode and will only illuminate when an aircraft is within a certain proximity.

Supervisor Wist closed Public Comment at 7:23 pm.

#### 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 2025.

The Public Hearing closed at 7:25 pm. On a motion made by Shane Lester, seconded by Alice Ray and 5 of 5 Councilmen approved the following Resolution:

**#56-RESOLUTION-2024**  
**A LOCAL LAW TO OVERRIDE THE TAX LEVY**  
**LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

WHEREAS, the Town Board of the Town of Sanford at its regular meeting held on October 8, 2024, introduced proposed Local Law No. 2 of the Year 2024, 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 8, 2024 at 7:00 p.m. at the Town Hall; and

WHEREAS, said public hearing was duly held on the 8th day of October, 2024 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. 2 of the Year 2024 as Local Law No. 2 of the Year 2024 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.

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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 8, 2024.

The Dog Control Officers report was reviewed. On a motion made by Alice Ray, seconded by Shane Lester and all accepted the DCO report for September 2024.

The Assessor's report was reviewed. On a motion made by Dan Andresen, seconded by Jay Vandermark and all accepted the Assessor's report for September 2024.

The Minutes of the Regular Meeting, dated: September 10, 2024 were presented to the Board. On a motion made by Shane Lester, seconded by Dan Andresen and all approved the Minutes of September 10, 2024.

The Clerk's report of September 2024 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 2024.

The Monthly report for August 2024 was reviewed. On a motion made by Dan Andresen, seconded by Shane Lester and all approved the August 2024 monthly report.

Supervisor Wist spoke on holding a Public Hearing to hear comments and objections and review the proposed 2025 Year Budget for the Town of Sanford. On a motion made by Alice Ray, seconded by Shane Lester and all approved the following resolution.

**#57-RESOLUTION-2024  
A RESOLUTION SCHEDULING A PUBLIC  
HEARING TO HEAR OBJECTIONS ON THE PROPOSED 2025 YEAR BUDGET  
& ASSESSMENT FOR THE TOWN OF SANFORD**

The Town Board of the Town of Sanford, duly convened on October 8, 2024, does hereby RESOLVE as follows:

Section 1. The Town Board of the Town of Sanford shall hold a Public Hearing on Tuesday, November 12, 2024, commencing at 7:00pm, at the Sanford Town Hall, 91 Second Street, Deposit NY 13754, to hear objections and review the proposed 2025 Budget for the Town of Sanford.

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.

Section 3. This Resolution shall take effect immediately.

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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 8, 2024.

Supervisor Wist spoke on re-scheduling a budget workshop originally set for October 10, 2024. The Town Board will meet on Thursday, October 17<sup>th</sup> at 6 pm.

Supervisor Wist asked the Town Board to consider purchasing a quarter acre piece of property on the corner of Farnham Road and State Route 41 from Bluestone Wind/Northland Power. The property in question is part of the Farnham Road Realignment project and a Release of Damages is required by the property owner. Both Northland Power and the Board agree, the simplest course of action is for the Town of Sanford to acquire the property; purchase price \$1.00.

Supervisor Wist spoke on securing a \$12,000,000.00 Bond for Construction of the New Highway Garage which is subject to Permissive Referendum. On a motion made by Alice Ray, seconded by Dan Andresen and all approved the following Resolution.

**#58-RESOLUTION-2024**  
**AUTHORIZING THE CONSTRUCTION OF A NEW HIGHWAY GARAGE IN AND FOR THE TOWN OF SANFORD, BROOME COUNTY, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$12,000,000 AND AUTHORIZING, SUBJECT TO PERMISSIVE REFERENDUM, THE ISSUANCE OF UP TO \$12,000,000 BONDS OF SAID TOWN TO PAY THE COST THEREOF.**

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Sanford, Broome County, New York, as follows:

Section 1. The construction of a new highway garage at 251 NYS Route 41 in Deposit, in and for the Town of Sanford, Broome County, New York, including a salt/sand shed and cold storage facility as well as various site improvements, including a driveway, parking lot, fuel facilities, a septic system and storm water improvements, is hereby authorized, SUBJECT TO PERMISSIVE REFERENDUM, at a maximum estimated cost of \$12,000,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$12,000,000 bonds of the Town, hereby authorized to be issued therefor, pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probably usefulness of the aforesaid specific object or purpose is thirty years, pursuant to subdivision 11(a) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Sanford, Broome County, New York are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1.) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2.) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3.) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. Upon this resolution taking effect, the same shall be published in summary form in the official newspaper of said Town designated for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This resolution is adopted subject to permissive referendum.

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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 8, 2024.

Supervisor Wist stated information is expected from the Town Attorney, Nick Cortese regarding ice-eaters on Oquaga Lake. The Board could have something to introduce at the November meeting.

Bills were presented to the Board.

The Motion was made by Councilman Alice Ray, seconded by Jay Vandermark 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: 10/08/24 Abstract #10-General: \$48,457.99-Voucher #583-585, 589-593, 598-614; Highway: \$158,101.10-Voucher #594-595, 621-639; Sewer O & M: \$7,704.06-Voucher #586-587, 596, 615-619; T&A: \$19.56-Voucher #597; Capital: \$70,226.00-Voucher #620.

Since no further business was at hand, on a motion made by Jay Vandermark, seconded by Dan Andresen and all approved that the Meeting be adjourned at 7:41 PM.

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Kristin Canedo, Deputy Town Clerk