

**TOWN BOARD MEETING
ONE CANAL STREET
SHERBURNE, NY 13460
November 8, 2023**

Regular meeting for the Sherburne Town Board was held on Wednesday, November 8, 2023 in the Town Office. Present: Supervisor Charles Mastro, Councilmembers: Glen Bagnall, Dave Wern, Ed Meyer, Rowena Krum, Hwy Superintendent Chase Winton, and Town Clerk McDaniel. Guests: Attorney Dylan Harris, Gil Hodges, Andy Lagoe, Zac Wentworth, Jim Webb, Mike O'Reilly, Village Mayor Bill Acee and members of the public.

► **PUBLIC HEARING FOR THE 2024 TOWN BUDGET**

The Public Hearing for the 2024 Town Budget opened at 7:01 pm. No one from public in attendance to discuss the budget. Motion by Bagnall and seconded by Meyer to adjourn the public hearing. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried. Public Hearing adjourned at 7:05 pm. Motion by Wern and seconded by Bagnall to approve and pass the 2024 Town Budget with no changes. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried.

► **PRELIMINARY TOWN BUDGET ADOPTED FOR 2024 TOWN BUDGET**

WHEREAS, the Town Board has met at the time and place specified in the Notice of Public Hearing on the Preliminary Budget which was published in the official newspaper of the Town of Sherburne, Town Clerk's signboard and Town of Sherburne's website and heard all persons desiring to be heard thereon; and NOW THEREFORE BE IT RESOLVED upon motion by Wern and seconded by Bagnall that the final budget, as incorporated herein and made a part hereof, is hereby adopted as the annual budget of the Town of Sherburne for the fiscal year beginning the 1st day of January 2024 and that such budget as so adopted be entered in the Town Board minutes; and BE IT FURTHER RESOLVED that the Town of Sherburne's Town Clerk, Kathy McDaniel, shall certify in duplicate, copies of said annual budget as adopted by this Town Board. Supervisor Mastro – Aye; Councilpersons Wern – Aye; Meyer – Aye; Bagnall – Aye; Krum – Aye. Carried.

► **BUDGET TRANSFERS FOR THE 2024 BUDGET**

Motion by Krum and seconded by Wern to approve the budget transfers as outlined by April Ray, Bookkeeper. A copy of the transfers for the 2024 budget is attached hereto and made a part hereof. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried.

► **TAX CAP AND BUDGET FORM**

The appropriate Tax Cap and Budget form for 2024 was sent into the Office of the State Comptroller. A copy of said form is attached hereto and made a part hereof.

► GUESTS GIL HODGES AND ANDY LAGOE

Gil Hodges and Any Lagoe discussed with the board how they are looking to expand the manufacturing for Gilligans. They are looking at purchasing the old Skip's Grocery building and would like to secure more land for parking and accepting deliveries. This was discussed and the Town is more than willing to work with Gil and Andy for the expansion and space for parking and deliveries when the purchase from Jim Webb of the property for the salt shed is finalized.

► APPROVAL OF OCTOBER 2023 MINUTES

Motion by Bagnall and seconded by Wern to approve the minutes of the October 11, 2023 Town Board meeting. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried.

► SUPERVISOR'S REPORT, HIGHWAY REPORT & TOWN CLERK'S REPORT

a. Supervisor's Report

b. Town Clerk's Report

Motion by Meyer and seconded by Wern to approve the above two reports. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried.

c. Matt Gladstone not in attendance. No code enforcement report.

d. Highway Report.

Hwy. planning for winter. Blanding Road Bridge discussed. The bridge will not be reopened until the spring of 2025. Some repairs were made and the bridge was re-inspected by the DOT. The repairs were not sufficient to open the bridge for traffic.

Motion by Meyer and seconded by Wern to approve the Highway report. . Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried.

► NEW BUSINESS

a. Sales Tax

Third Quarter Sales Tax was received in the amount of \$108,669.99.

b. Union Contract

Supervisor Mastro has met with the two stewards of the union. They are in the process of negotiating the union contract.

c. Dylan Harris

Attorney Dylan Harris has a new contract for the Town. The previous law firm has been dissolved and Attorney Harris is moving under a new firm name. The contract moves the retainer to the new firm. This new contract is under the same terms and conditions as the former contract as well as the same hourly rate. Motion by Meyer and seconded by Bagall to authorized Supervisor Mastro to sign this new contract. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried.

► **OLD BUSINESS**

a. Rexford Falls

Rexford Falls discussed. New planking and decking has been completed. The tree which was a problem hanging over the bridge has been roped and cut. The Brown Foundation will be helping with the cost of the tree service for this project.

b. Broadband

Broadband project for the town was discussed.

c. SPCA Contract

Supervisor Mastro met with the director of the SPCA on Friday. The director of the SPCA will be addressing the county on their new contract. Pursuant to the new contract, the SPCA is asking for the town to have two dog wardens, dog licenses and tags to be given to the SPCA for licensing, and the surcharge fee for taking in dogs will go from \$75.00 to potentially \$250.00 per dog.

The Town of Sherburne already has two dog wardens in place and the Town Clerk has been providing the SPCA with dog licenses and tags.

d. Art Gallery

No further update

► **NOVEMBER 2023 TOWN BILLS**

Motion by Krum and seconded by Bagnall to approve the November 2023 bills. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried. Wern to approve December bills.

► **BOARD MEMBER REPORTS**

No reports from Meyer. No reports from Councilmember Wern. Planning Board meeting next Tuesday. No report from Krum.

► **JIM WEBB DISCUSSED MEAT PLANT**

Jim Webb asked for a letter to be drawn up to be signed by Supervisor Mastro stating that the Planning Board and Town Board has given approval for the Meat Plant on Jim's property on County Road 23. A letter was written and signed by Supervisor Mastro.

► **SOLAR GARDEN**

Solar Garden was discussed.

► **PUBLIC HEARING - PURCHASE OF 2 ACRE PORTION OF 108 N. MAIN STREET AND A 3.24 ACRE PARCEL AT 120 N. MAIN STREET FOR A NEW TOWN HIGHWAY DEPARTMENT SALT SHED.**

Opened at 8:00 pm.

Supervisor Mastro went over the history of leading to the purchase of a property for a new salt shed. Comments and questions were heard from the public on this matter.

Village Mayor Bill Acee submitted a letter with questions and concerns about this purchase. This letter is dated 11/8/2023 and is attached hereto and made a part of these minutes.

Motion by Bagnall and seconded by Meyer to close the public hearing. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried. Public Hearing closed at 9:03 pm.

Motion by Meyer and seconded by Wern to go into Executive Session for the purpose of further discussing the acquisition of real property, specifically, the 2 acre portion of 108 N. Main Street and the 3.24 acre parcel at 120 N. Main Street for a new town highway department salt shed. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried. Executive session held.

Motion by Wern and seconded by Bagnall to close the Executive Session. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Wern – Aye; Meyer – Aye; Krum – Aye. Carried. Decision on the purchase of the property for the Town Highway salt shed is tabled until the December town board meeting.

Respectfully submitted,

Kathy McDaniel

November 4, 2023

To: Sherburne Town Board

From: April Ray, Bookkeeper

I recommend the following amendments to the General Fund Budget:

- 1) Increase A1220.4-Supervisor, Contractual \$805.00
From A1990.4-Contingency -\$805.00

Reason: to cover additional costs incurred to purchase computer and printer for Supervisor

- 2) Increase A1920.2-Municipal Dues \$150.00
From A1990.4-Contingency -\$150.00

Reason: to cover higher cost of dues for 2023 than anticipated in budget

- 3) Increase A1315.42-Comptroller \$4,930.00
From A1990.4-Contingency -\$3,570.00
From _____ -\$1,360.00

Reason: Additional costs of two bookkeepers for the first few months of 2023 (training and finishing up 2022 reporting)

- 4) Increase A1410.4-Town Clerk, Contractual \$1,075.00
From A1990.4-Contingency -\$1,075.00

Reason: to cover additional costs incurred by town clerk

Tax Cap Form

Town of Sherburne (080377400000)
 Fiscal Year Ending: 12/31/2024

Certifier

Charles Mastro, Supervisor
 (607) 674-4481
 sherburne@co.chenango.ny.us

Summary

Tax Levy Limit, Before Adjustments and Exclusions

✓	Real Property Tax Levy FYE 2023	\$1,449,770
✓	Tax Cap Reserve Offset from FYE 2022 Used to Reduce FYE 2023 Levy	\$0
✓	Total Tax Cap Reserve Amount (Including Interest Earned) from FYE 2023	---
✓	Tax Base Growth Factor	1.0029
✓	PILOTs Receivable FYE 2023	\$1,200
✓	Tort Exclusion Amount Claimed in FYE 2023	\$0
✓	Allowable Levy Growth Factor	1.0200
✓	PILOTs Receivable FYE 2024	\$1,200
✓	Available Carryover from FYE 2023	\$10
	Tax Levy Limit Before Adjustments/Exclusions	\$1,483,088

Adjustments for Transfer of Local Government Functions

✓	Costs Incurred from Transfer of Local Government Functions	\$0
✓	Savings Realized from Transfer of Local Government Functions	\$0
	Total Adjustments	\$0
	Tax Levy Limit, Adjusted for Transfer of Local Government Functions	\$1,483,088

Exclusions

✓	Tort Exclusion	\$0
✓	Teachers' Retirement System Exclusion	\$0
✓	Employees' Retirement System Exclusion	\$490
✓	Police and Fire Retirement System Exclusion	\$0
	Total Exclusions	\$490
	Your FYE 2024 Tax Levy Limit, Adjusted for Transfers plus Exclusions	\$1,483,578
✓	Total Tax Cap Reserve Amount Used to Reduce FYE 2024 Levy	---
✓	FYE 2024 Proposed Levy, Net of Reserve	\$1,483,567
	Difference Between Tax Levy Limit and Proposed Levy	\$11
✓	Do you plan to override the Tax Cap for FYE 2024 ?	No

History

Date and Time	Status Changed To	User
11/02/2023 1:08:09 PM	Form was submitted to OSC (Form Status set to: Submitted)	Charles Mastro
10/10/2022 11:07:03 AM	Form was created (Form Status set to: Unsubmitted)	Carol King

SEQRA Hearing Town

11/8/2023

Submitted by: William Acee, lifelong resident and Sherburne Mayor

I am submitting the following comments for tonight's public SEQRA Hearing.

First, as Mayor I have almost always been approached by businesses proposing any commercial building in the Village. Most commercial entities strive to be good neighbors to those of us who live in the village and thus commercial endeavors have solicited opinion from the Village. I have not received any correspondence from the Town regarding this project or its scope. I have however reached out to Town of Sherburne Representatives to ask that the Village of Sherburne get to weigh in on this project as it pertains to suitability.

I hope the Town slows the process of developing this project to properly interact with the Village. As presented, I oppose this project.

1. I see two parcels in the advertisement for tonight's hearing. I have not seen any plans for any projects for the two sites. The only reference is to "salt shed" in the Sherburne News Legal Ad.
2. Two separate sites require truck traffic from one area to the other.
3. Both sites border AE Flood zones.
4. I would like the Village's Flood plain administrator's opinion sought in this process.
5. The Site floods. I have stood in one foot of flowing water in the non-flood plain areas that are proposed for said project. The Village has had consideration raising the electric substation transformers in this same area due to the need to harden our electric infrastructure against severe and enduring hard downpours that have been increasing in recent years.
6. There is potential for runoff to the Handsome Brook and Chenango River with oil and salt dropping from trucks. I would like to see stormwater pollution prevention study (SWPPPs) before proceeding.
7. Truck traffic would add to an already busy intersection on the 3.5-acre parcel; more study is needed.
8. Local Government is currently working to develop the area as an attractive entry to the north RT 12 entry to the Village in the same way that improvements were made to the west RT 80 village entry. This involves working with a local business to encourage attractive retail and wholesale commercial business. Funding approval is pending with and has 100% Village Board support.
9. The town's project would forever change the area and make it impossible to return it to its existing condition thus locking in the site to be forever a "salt storage" facility.

Since the plan is under consideration, no shovel in the ground, serious consideration should be given to finding a better solution to the Town's salt storage.

Respectfully Submitted,



William Acee