

**TOWN BOARD MEETING
ONE CANAL STREET
SHERBURNE, NY 13460
August 14, 2024**

Regular meeting of the Sherburne Town Board was held on Wednesday, August 14, 2024 in the Town Office at 7:00 pm. Present: Supervisor Charles Mastro, Councilmembers: Glen Bagnall, Dave Wern, Ed Meyer, Rowena Krum, Hwy Superintendent Chase Winton. Guests: Mayor Acee, Attorney Dylan Harris, Diane DeStefano, Duane Wilcox, Pete Karaman, Dave Howard, Bohnert family. Absent: Town Clerk McDaniel. Councilmember Dave Wern was not a voting member of council during this meeting, due to his resignation as Councilmember effective this date August 14, 2024.

▶ APPROVAL OF JULY 2024 MINUTES

Motion by Meyer and seconded by Krum to accept the July 2024 minutes. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried.

▶ SUPERVISOR’S REPORT, TOWN CLERKS REPORT

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

There was no Code Officer’s Report or Highway Report.

▶ NEW BUSINESS

a. Sherburne Meadows Assessment Lawsuit

Discussion held on the Sherburne Meadows Assessment Lawsuit. Town Attorney Dylan Harris is working on this matter.

b. Commerce Chenango

Commerce Chenango is entering into a five-year PILOT Program with the railroad. - 45.5 miles.

c. Orkin

Update on Orkin Contract.

d. New Energy Equity –

A letter was sent to New Energy Equity in regards to any zoning laws in place for the Humer South Solar Garden proposed in the Town of Sherburne. There are no zoning laws in the town.

e. Mike Janitz Resignation

Motion by Meyer and seconded by Krum to accept Mike Janitz' resignation as Chairman of the Planning Board. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried.

f. Comprehensive Plan Update

At this time, the Comprehensive Plan project is idle. The Planning Board Chairman has resigned and there are vacancies on the Planning Board. The Planning Board is in the process of reaching out to the public for board members.

g. Historic Park Signage.

The Historic Park would like two new signs to replace the wooden ones, which are in rough shape. The cost would be \$1,425.00 to get new signs to replace the wooden ones. Motion by Meyer and seconded by Bagnall to allow the purchase of the new signs for \$1,425.00 for the Historic Park. . Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried.

h. School Speed Limit – Granville Hill Road

Motion by Meyer and seconded by Krum to allow the school to establish a school zone with a 35 mile per hour speed limit on Granville Hill Road. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried.

i. BAN and Transfer of Fund Balance to Capital Account.

Discussion held on the Transfer of fund balance to the capital account until the BAN is in place. Motion by Krum and seconded by Bagnall to transfer \$75,000.00 of fund balance to the capital account. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried.

j. Sales Tax –

\$92,368.00 received in sales tax.-2.87% less in sales tax this year than last years.

► PUBLIC HEARING FOR SALT SHED PROPERTY PURSUANT TO PERMISSIVE REFERENDUM

Public Hearing was opened at 8:00 for any public voice on the purchase of the property from Howards (12.36 acres) for the Highway Salt Shed. A notice of hearing was published and posted as required by law. Feasibility study and survey were reviewed. No one from the public was in attendance to be heard for this public hearing. Motion by Meyer and seconded by Bagnall to close the public hearing. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried. BE IT

RESOLVED upon motion by Bagnall and seconded by Meyer that the Town Board of Sherburne authorizes the purchase of approximately 12.33-acre parcel at 0 Howard Road (SBL#44.-2-30.1) for the purpose of constructing a new Town Highway Department salt shed. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried. This Resolution shall become final within (30) days after its adoption, unless a petition calling for a referendum on the purchase of the Real Property is filed with the Town Clerk of Sherburne pursuant to Section 91 of the Town Law.

Motion by Bagnall and seconded by Meyer to enter into an agreement for the purchase of the property for the agreed upon purchase price and acreage. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried. Formal contract will take place after the 30 days permissive referendum period.

► **OLD BUSINESS**

a. Broadband

BE IT RESOLVED upon motion by Krum and seconded by Bagnall to pass the Official Intent Related to the Acquisition and Construction of a Project Including Aerial Fiber, Underground Fiber, Drop Fiber and Utility Poles. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried. Resolution attached hereto.

BE IT RESOLVED upon motion by Bagnall and seconded by Meyer to authorize Supervisor Mastro to sign the contract agreement with Squan for engineering services for the ConnectAll work. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried.

b. Qualified Abandonment – Castle Hill Rd.

A request has been made for a qualified abandonment of Castle Hill Rd. There has never been a formal abandonment of this road. In order to be a qualified abandonment it has to meet a certain criteria, how many cars are traveling the road, pedestrians, horses, etc. There also would need to be a public hearing. Discussion held on the abandonment and the process. Attorney Harris to do further study on this and come back next month for the September meeting with more information.

c. Budget workshop

April Ray, Budget Officer, will be in attendance for the budget workshop on September 11th.

d. Budget Transfers

Motion by Krum and seconded by Meyer to approve the budget transfers outlined by budget officer, April Ray and attached hereto.

Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried.

e. EMS

Mayor Acee addressed the board on EMS. One option for the Town of Sherburne would be to increase the budget to \$81,863 for EMS which would be an increase of \$36,778.00. The town will increase the ambulance budget by this amount in town's preliminary budget. This increase is contingent upon the Town of Columbus and Town of Smyrna raising their ambulance budgets the same percentage. Further discussion held.

f. Proposition #1

Proposition #1 reviewed.

► **AUGUST 14TH TOWN BILLS**

Motion by Krum and seconded by Meyer to approve the August 2024 bills. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried. Councilmember Meyer to approve September bills.

Board Member Reports: Councilmember Meyer - Sherburne Village: Sidewalks are done Classic St. and Chenango Avenue. Resignation and a new hire for employees. Columbus and Sherburne are into Town Phase 2 ConnectAll. Village would like to annex the entire school property to the Village - or Police protection for the school. Councilmember Meyer - Earlville Village Electric Car charging station coming – tree stumps removed. Problem with some sidewalks that have to be repaired. Councilmember Krum - Planning Board discussed a list of people for the planning board for potential members. Further discussion held on the Planning Board.

► **RESIGNATION OF DAVE WERN FROM TOWN BOARD.**

Motion by Bagnall and seconded by Meyer to accept Dave Wern's resignation from the Town of Sherburne Town Board with regrets. Supervisor Mastro – Aye, Councilmembers Bagnall – Aye; Meyer – Aye; Krum – Aye. Carried.

Motion by Bagnall and seconded by Meyer to adjourn Meeting adjourned at 9:30 pm. Next regular meeting scheduled for Wednesday, September 11th at 7:00 pm.

Respectfully submitted,

Kathy McDaniel, Town Clerk