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Town of Sherburne
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RESOLUTION #5 of 2024

**RESOLUTION OF THE TOWN OF SHERBURNE
TO ENTER A CONTRACT OF SALE FOR AND TO PURCHASE THE LAND SITUATED AT 0
HOWARD ROAD, SHERBURNE, NEW YORK, 13460 (SBL # 44.-2-30.1)**

WHEREAS, the Town of Sherburne (the “Town”) has entered into a land sale commitment agreement (the “Agreement”) dated August 14, 2024 (the “Effective Date”) with John E. Howard (“Seller”) for the land situated at 0 Howard Road, Sherburne, New York 13460 (SBL # 44.-2-30.1), the lot of which consists of 22.36 acres of vacant land and in which the Seller agrees to allow the Town to either subdivide, make a lot line adjustment, or to otherwise carve out approximately 12 acres of land (hereinafter the “Property”) for the purpose of constructing a new Town Highway Department salt shed;

WHEREAS, the Town has agreed to enter into the land sale commitment agreement to allow a contract of sale and purchase the Property after receiving an affirmative approval of the purchase of the Property by the Town Board and after the completion of permissive referendum requirements under New York Town Law § 90 *et seq.*;

WHEREAS, the parties to the Agreement have agreed that the sale price of the Property be set at \$20,000 per acre for the purchase of the land, which will be for an amount of acreage to be determined by the parties at a later date;

WHEREAS, the Town Board conducted a PUBLIC HEARING on the 14th day of August, 2024, at 8:00 p.m. at the Town Office, Town of Sherburne, 1 Canal Street, Sherburne, New York, at which all parties in interest and citizens had an opportunity to be heard as to whether the Town shall purchase the Property;

WHEREAS, an affirmative approval of the land sale commitment agreement for the purchase of the Property by the Town of Sherburne Town Board was given at the PUBLIC HEARING;

WHEREAS, the Town Board classifies this action as a Type II Action under Part 617.5(c)(26) of the regulations implementing SEQRA as routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment and exempt from further review;

NOW, THEREFORE, IT IS HEREBY RESOLVED,

All Whereas recitals above are incorporated into this Resolution.

1. The Town hereby agrees to enter into the land sale commitment agreement to enter a contract of sale to purchase the Property pursuant to the Agreement.

MOVED BY: BAGNALL
SECONDED BY: MEYER

Yea 4 Nay 0 Abstain 0 Absent 0

Supervisor Charles Mastro - Yea
Town Clerk Kathy McDaniel - NON-VOTING
Board Member Glen Bagnall - Yea
Board Member Ed Meyer - Yea
Board Member Dave Wern - NON-VOTING
Board Member Rowena Krum - YEA **CARRIED**

Adopted by the Town of Sherburne Town Board on the 14th day of August, 2024
The Resolution was thereupon duly adopted.

CERTIFIED TRUE COPY

I, Kathy McDaniel, Town Clerk of the Town of Sherburne hereby certify that the foregoing is a full, true, and accurate copy of a resolution duly and regularly adopted by the governing body of the municipality, at a meeting duly and regularly held on 8/14, 2024, at which quorum was present throughout, and the required majority of the governing body voted in favor of this resolution. I further certify that this resolution is still in full force and effect and has not been revoked or modified.

Dated: 8/14/, 2024
Kathy McDaniel
Kathy McDaniel, Town of Sherburne Town Clerk

(Town Seal)