

**TOWN OF GRANBY
BOARD MEETING
OCTOBER 12, 2022
7:00 P.M.**

CALL TO ORDER

Supervisor Snow, Jr. called the meeting to order at 7:21 P.M. leading those present in the Salute to the Flag. Present for the roll call were Supervisor John Snow, Jr., Councilors Rodney DeLong, Sandra Farrands and Marianne Ingerson. Highway Superintendent Dan Duncan, MEO Goutermout, Planning Board Chairperson Jane Crego and Legislators Mike Solowy and Jim Karasek were also present. Councilor Irene Wiestner was not present. There was one guest in attendance.

Councilor Farrands made a motion, seconded by Councilor Ingerson to dispense with the reading of the minutes of the previous meetings and accept them as written, all were in favor, none opposed.

PUBLIC COMMENT - NONE

COMMUNICATIONS AND ANNOUNCEMENTS

The New York State DOT has Yellow Flagged the Old State Road Bridge. The Board has received a copy of the report. Bond Council is looking into how long we can secure a bond.

The Town Clerk has received notification that Axe Chuckers has filed for a liquor license with the New York State Liquor Authority.

The Comptroller's Office has released their fiscal stress scores. Granby again has no designation.

The Board has a copy of the County's Aged Exemption Local Law with the changes that have been discussed. Supervisor Snow, Jr. asked that they review it and be ready for discussion at the Work Session.

REPORTS FROM DEPARTMENTS

Code Enforcement/Zoning – There were 8 building permits issued with fees of \$1,024.56 and a construction value of \$216,000.00. There were 13 other permits issued with fees of \$350.00. There were 17 building and other permits closed, 27 building inspections conducted and 7 fire inspections done. There were 8 violations issued, 2 violation inspections and 15 violations corrected.

Town Clerk/Tax Collector – Total revenue for September was \$2,435.26. A check in the amount of \$65.00 was sent to the New York State Department of Ag & Markets for the spay/neuter program and a check in the amount of \$2,072.83 went to the Supervisor for local shares. \$274.93 went to the DEC for hunting licenses.

Highway Superintendent – They have been mixing salt and sand, doing culverts and ditching. He received \$12,406.00 for the trucks sold on Auctions International. Highway Superintendent Duncan will be running an ad to hire a new employee.

Councilor DeLong made a motion, seconded by Councilor Ingerson to accept the auction results for the pick-up trucks and parts from Auctions International of \$12,406.00, all were in favor, none opposed.

Planning Board – They have been quiet. They met with the new attorney at the last meeting.

ZBA – They had a meeting last night.

Supervisor – He is waiting for a bank statement to send the financials. He has met with Nicole Allen from the LaBerge Group, who will be helping with the Comprehensive Plan. They have taken a tour of the Town and are coming up with ideals, goals and strategies to concentrate on. Supervisor Snow, Jr. will be putting a committee together to work on this. He asked the Board if they would like him to bring names to them for approval, they did not. He has filed the paperwork for the Comprehensive Plan Grant, so \$50,000.00 of the \$70,000.00 of the cost will be covered. We have received knowledge of First Amendment Audits going on in Town Halls across the State. Our employees have been notified they may encounter this. Supervisor Snow, Jr. would like to thank our Legislators for being here tonight and for the work they are doing on a project that he has asked them to look into.

County Legislator – Legislator Solowy said it has been an enlightening experience being a new Legislator. He continues to learn every day and is becoming more involved with different aspects of the County. He recently attended a task force meeting regarding the applications for ARPA funds. He is hoping they can come to an agreement on distribution of the funds so it will be a benefit for the Town and the entire area. He would like to see business come to this area.

Legislator Karasek – He is also working on the ARPA funds applications. He is also on the Budget Committee, which will be meeting tomorrow. He can say they do plan for a reduction in the budget again this year. Internet sales tax has caused a huge turnaround in sales tax. It has been a great benefit to the County. There has been discussion about the new Micron Plant. He is expecting people to be looking at the southern end of Granby to build housing. This could be a great opportunity for growth in the Town. The Oswego Port is also being dredged to allow larger container ships to

utilize the port. The burning silo in Volney is being addressed. Mr. Karesek told the Board he and Legislator Solowy are always available for support on any issues they may be dealing with. Councilor Ingerson thanked the Legislators for attending the meeting and keeping the Board updated on what is going on in the County.

MOTIONS AND RESOLUTIONS

BOND RESOLUTION OF THE TOWN OF GRANBY, OSWEGO COUNTY, NEW YORK, AUTHORIZING THE ACQUISITION OF THREE (3) DUMP TRUCKS AND A GRADALL AT AN ESTIMATED MAXIMUM COST OF \$1,300,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF UP TO \$1,300,000 BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE TOWN TO PAY THE COST OF THE PROJECT

WHEREAS, Section 64(3) of the Town Law of the State of New York empowers the Town Board of the Town of Granby, Oswego County, New York (the "Town") to acquire or construct, manage, maintain and control Town properties as the purposes of the Town may require; and

WHEREAS, the Town Board of the Town has determined that it is necessary for the Town to acquire three (3) dump trucks and a gradall (the "Vehicles") to maintain public improvements; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended, and the regulations of the Department of Environmental Conservation of the State of New York promulgated thereunder (collectively referred to hereinafter as "SEQRA"), the Town is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Town and the approval of this resolution constitutes such an action;

WHEREAS, the Town Board, by resolution adopted on October 12, 2022 determined that undertaking of the Project will not have a significant adverse environmental impact and the Town issued a negative declaration with respect to the acquisition of the vehicles and;

WHEREAS, the Town Board now desires to authorize the acquisition of the Vehicles and the financing of the cost thereof.

NOW, THEREFORE BE IT RESOLVED THIS OCTOBER 12, 2022 BY THE TOWN BOARD OF THE TOWN OF GRANBY, OSWEGO, NEW YORK (by favorable vote of not less than two thirds of said Board), AS FOLLOWS:

Section 1. The acquisition of the Vehicles, together with equipment, machinery, apparatus and other improvements incidental thereto, having a maximum estimated cost of \$1,300,000, is hereby approved.

Section 2. The plan for the financing of the Vehicles is the application of state and/or federal grants and any other revenues available for such purpose from any other source and the issuance of up to \$1,300,000 or such lesser amount as may be necessary, of serial bonds or any bond anticipation notes, including renewals, in anticipation of the issuance and sale of the bonds of said Town, which are hereby authorized to be issued pursuant to the Local Finance Law and the levy of a tax to pay principal and interest on said obligations.

Section 3. The full faith and credit of the Town is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds and any bond anticipation notes issued in anticipation of the Bonds as the same respectively become due and payable. All of the taxable real property in the Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amounts sufficient to pay the principal of and interest on the Bonds as the same shall become due. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such years and such debt service payments may be made in substantially level or declining amounts as may be authorized by law.

Section 4. Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive, of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any 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 Town Supervisor, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such manner, as may be prescribed by said Town Supervisor, consistent with the provisions of the Local Finance Law. The bonds and notes authorized hereby may be issued to the United States Department of Agriculture, Office of Rural Development, or any of its related offices or agencies or any purchaser in accordance with the provisions of the Local Finance Law.

Section 5. The Town Supervisor is hereby further authorized, at his sole discretion, to execute all agreements and instruments in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town.

Section 6. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and/or notes without resorting to further action of this Town Board.

Section 7. The following additional matters are hereby determined and declared:

- (a) Pursuant to subsection 1 of paragraph (a) of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is fifteen (15) years; and
- (b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- (c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the capital purposes described in Section 1 of this resolution. The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Town's General Fund. It is intended that the Town shall then reimburse expenditures from the General Fund with the proceeds of the bonds and bond anticipation notes authorized by this resolution and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the Town's "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures

authorized by this resolution with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this resolution, no monies are reasonably expected to be, received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 9. Such bonds shall be in fully registered form and shall be signed in the name of the Town of Granby, Oswego County, New York, by the manual or facsimile signature of the Town Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the Town Clerk.

Section 10. The Town hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the Town will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds with a schedule of substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Town Supervisor, providing for the manual countersignature of a fiscal agent or of a designated Official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. 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 52.00 of the Local Finance Law, as the Town Treasurer shall determine.

Section 12. 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 publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. Theodore A. Trespasz, Jr., Esq. is hereby appointed bond counsel to the Town in relation to the issuance of the obligations authorized herein.

Section 14. This resolution shall be subject to permissive referendum and a summary hereof (attached hereto as **FORM OF NOTICE I**) shall be published and posted within ten (10) days of adoption by the Town Clerk as provided by Section 90 of the Town Law. This Resolution shall become effective 30 days after publication of **FORM OF NOTICE I**. Following such effective date, in the event that no petition for a referendum was timely submitted and filed, the Town Clerk shall cause the publishing and posting of a notice in substantially the form provided in Section 81.00 of the Local Finance Law together with a summary of this Bond Resolution (attached hereto as **FORM OF NOTICE II**).

WHEREFORE, the foregoing Resolution was put to a vote of the members of the Town Board on October 12, 2022, the result of which vote was as follows:

Councilor Ingerson made a motion, seconded by Councilor DeLong to adopt the Bond Resolution, a roll call vote was taken;

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|----------------------|-----|--------------------|--------|
| Councilor DeLong | Aye | Councilor Farrands | Aye |
| Councilor Ingerson | Aye | Councilor Wiestner | Absent |
| Supervisor Snow, Jr. | Aye | | |

PAYMENT OF TOWN BILLS

Councilor Farrands made a motion, seconded by Councilor DeLong to pay the Town bills as audited on Abstracts 19 and 19A, all were in favor, none opposed.

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| General Fund | \$52,053.96 | Highway Fund | \$23,149.26 |
| Capital Projects | \$26,254.00 | V Fund | \$19,090.00 |

ITEMS FOR WORK SESSION October 26, 2022

Map of mining parcels from Fogel & Brown, P.C.

Budget Workshop – Invite all Department Heads

The Town Clerk received four bids for the Town Hall roof which were as follows;

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|---------------------------------------|-------------------------|
| Over The Top Roofing LLC | \$ 40,740.25 (Shingles) |
| Lifetime Roofing by Vail Construction | \$ 44,280.00 (Shingles) |
| | \$117,400.00 (Metal) |
| WCA Roofing & Sheet Metal Co., Inc. | \$ 36,000.00 (Shingles) |
| | \$ 92,000.00 (Metal) |
| J. Lindsley Roofing LLC | \$ 43,000.00 (Shingles) |
| | \$ 43,000.00 (Metal) |

The Board would like the Town Engineer to review the bids before making a decision. The Board tabled the awarding of the Town Hall roofing bids.

Councilor Ingerson made a motion, seconded by Councilor DeLong to hold a Special Meeting on October 20, 2022 at 6:00 P.M. for the purpose of awarding the Town Hall roofing bid, all were in favor, none opposed.

Supervisor Snow, Jr., made a motion, seconded by Councilor Farrands to enter into Executive Session to discuss the employment of a particular person and to give an update on an ongoing situation, to include the Town Clerk, all were in favor, none opposed.

The Board entered into Executive Session at 8:11 P.M.

Councilor Farrands made a motion, seconded by Councilor Ingerson to re-convene the meeting, all were in favor, none opposed.

The meeting was re-convened at 8:25. P.M.

There was no action taken in Executive Session.

Councilor Farrands would like to have both Justices attend the next meeting to discuss the second court clerk position.

The Board discussed the employee review and pay rate increase process.

ADJOURNMENT

Councilor DeLong made a motion, seconded by Councilor Farrands to adjourn the meeting.

Meeting adjourned at 8:47 P.M.