

**TOWN OF GRANBY  
BOARD MEETING  
SEPTEMBER 13, 2023  
7:00 P.M.**

**CALL TO ORDER**

Supervisor Snow, Jr. called the meeting to order at 7:13 P.M. Present for the **roll call** were Supervisor John Snow, Jr., Councilors Rodney DeLong, Sandara Farrands and Marianne Ingerson. Highway Superintendent Dan Duncan was also present. Councilor Irene Wiestner was not present. There was one resident in attendance.

Councilor DeLong made a motion, seconded by Councilor Farrands 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 – Wallace Auser** – Asked the Board where they were at as far as getting the Highway Department the funds they need to pave the roads. Supervisor Snow, Jr. said we are coming into budget season and the Highway Superintendent has submitted his request. We will be going over the Highway budget in October. Then the Board and Highway Superintendent will have to come to an agreement on which roads will be paved. Mr. Auser stated that the global picture is that many roads need repair. We need to figure out a way to pave more roads per year. Highway Superintendent Duncan said he has a five-year plan for paving and the worst roads get paved first. Mr. Auser replied that three miles a year is not sufficient. If we need more money for road repair, allocate the money we need. If taxes have to be raised, then so be it. This is an important duty that the Town has, and the budget allocation is not enough. He urged the Board to give more money to pave roads because we are falling behind in keeping the roads up to snuff. Supervisor Snow, Jr. stated that we are putting together a Road Maintenance Plan to be able to apply for federal money for road repair.

**COMMUNICATIONS AND ANNOUNCEMENTS**

Supervisor Snow Jr. recognized Court Clerk Jessica King on her 15 years of full-time employment with the Town of Granby and thanked her for her service.

National Grid is in the process of replacing electric meters and gas modules across the state with their Advanced Metering Infrastructure Smart Meter Program Update. They have notified the Town that they will be working in our area in the coming months.

We received a letter from Senator John Mannion informing us of the Pro-Housing Community Program, which is a statewide initiative to give priority consideration for up to \$650 million in state discretionary funds to localities committed to housing growth.

## **REPORTS FROM DEPARTMENTS**

**Town Clerk/Tax Collector** - Total revenue for August was \$5,617.25. A check in the amount of \$135.00 was sent to the New York State Department of Ag & Markets for the spay/neuter program. A check in the amount of \$45.00 was sent to the State Health Department and \$374.14 went to the DEC for hunting licenses. A check in the amount of \$5,063.11 went to the Supervisor for local shares. The Town Clerk attended a Webinar Tuesday on De-Escalation Techniques For Hostile Individuals.

**Supervisor** – Financial statements have been emailed to the Board. There were no questions on the financials.

Councilor Ingerson made a motion, seconded by Councilor Farrands to accept the financial reports of the Supervisor and Town Clerk, all were in favor, none opposed.

Supervisor Snow, Jr. had a meeting with Granby Resident Mike Petersen, a chemist who is working to get Fulton and Granby together in the Lake Neatahwanta clean-up project. Supervisor Snow, Jr. would also like Oswego County Soil and Water involved. There was a stakeholder's meeting tonight to discuss solutions. There is a public event scheduled for Thursday night at the Fulton War Memorial to get community input. Supervisor Snow, Jr. explained that the Town of Granby, unlike the City, does not own any portion of the lake. Therefore, our goal is the same, but the process is different. The Town should not weigh in, but support Fulton's decision. He is committed to the watershed and is forming a LWRP committee.

**PROPERTY MAINTENANCE PROJECT**– We have 238 outstanding parcels with situations, 118 have been corrected. The residents that are receiving violations are coming in and correcting the problems. Some vacant properties have been demolished. If a property looks vacant, a letter is being sent to the owner saying New York State requires vacant properties be maintained, secure and safe and asking that they contact the Town. We have approximately 12 cases that have been sent to the attorney for Codes court and three for Supreme Court. Supervisor Snow, Jr. is happy to report that some of our properties owners that we have had issues with in the past are now working with us to bring their properties into compliance.

**Assessor** – Supervisor Snow, Jr. asked Assessor Roach if we will be ready for revaluation next year. Mr. Roach said no, we missed the opportunity for next year, so it will not be done for two years. Before the revaluation, we need to get in front of impact letters to keep the public informed of what is going on.

**Justice** – Justice Schmidt has resigned as of September 1<sup>st</sup>. Her accounts have been closed out at the bank and transferred to a Town holding account. These accounts will go to the new Justice. Supervisor Snow, Jr. has received a letter from Justice Doyle asking the Board to appoint a part-time court clerk.

**Highway Superintendent** – The roads are all tar and stoned, they are working on finishing the shoulders. They have also been mowing. He is waiting for parts for the tractor. They will be starting the culverts on Hanley Road so they can pave next year. He asked the Board what they want him to do about equipment repairs because he has no money left in his budget. At the last meeting, the Board asked Superintendent Duncan for a plan to propose to the Board as to how much money he needs. He has not done that because he cannot find where he has any money in any of his accounts. Supervisor Snow, Jr. said he has to look in his budget book, there is \$28,000.00 in reserve. He told Superintendent Duncan he needs to put a plan together to submit to the Board. The County has dropped the mileage for plowing County roads from \$9,000.00 to \$8,500.00 per mile. Highway Superintendent Duncan does not think we should sign the contract for \$8,500.00. He also stated we should not have to buy salt from the County. The County still has no contract so we cannot even order yet. We should go shopping for salt.

Supervisor Snow, Jr. made a motion, seconded by Councilor Farrands to authorize Highway Superintendent Duncan to order 200 tons of salt, provided it is less than \$70.00 per ton, all were in favor, none opposed.

Supervisor Snow, Jr. is worried about the catch basin and storm water situation on Pendergast Road. He asked what our damages are. Highway Superintendent Duncan said \$1,100.00 for the stone, plus wages. Supervisor Snow, Jr. asked Highway Superintendent Duncan to see if the owner of the property is willing to do an easement with the Town so we can access the catch basin.

Supervisor Snow, Jr. made a motion, seconded by Councilor Farrands to enter Executive Session to discuss litigation strategies for a particular situation on Pendergast Road, all were in favor, none opposed.

The Board entered Executive Session at 8:42 P.M.

Councilor DeLong made a motion, seconded by Councilor Farrands to reconvene the meeting, all were in favor, none opposed.

The meeting was reconvened at 8:59 P.M.

During Executive Session, action was taken to initiate a legal process regarding the Pendergast Road stormwater issue as follows:

Councilor Farrands made a motion, seconded by Supervisor Snow, Jr. to move forward with contacting the attorney to try to obtain an easement for the Pendergast Road property for access to the catch basin that was installed by the property owner, all were in favor, none opposed.

## **MOTIONS AND RESOLUTIONS**

Councilor Farrands made a motion, seconded by Supervisor Snow, Jr. to authorize Court Clerk King to take vacation from Monday January 15<sup>th</sup>, 2024, to Thursday February 8<sup>th</sup>, 2024, all were in favor, none opposed.

Supervisor Snow, Jr. made a motion, seconded by Councilor Ingerson to approve an unpaid leave of absence for Code Enforcement Officer Robert Dalton from October 1<sup>st</sup>, 2023, until May 1<sup>st</sup> of 2024, all were in favor, none opposed.

Supervisor Snow, Jr. read a letter from Justice Doyle requesting the Board appoint an applicant he has interviewed to fill the part-time court clerk position starting September 18<sup>th</sup>, 2023.

Councilor Farrands made a motion, seconded by Councilor Ingerson to approve the appointment of a part-time court clerk, all were in favor, none opposed.

### **Justice Resolution**

The following resolution was offered by Supervisor Snow, Jr., who moved its adoption, and seconded by Councilor Ingerson to wit:

**WHEREAS**, Town Justice Leslie Schmidt filed a resignation letter with the Town Clerk and the Office of Court Administration, and...

**WHEREAS**, there is a vacancy in the office of Town Justice as of September 1st, 2023, and...

**WHEREAS**, Town Law §64 authorizes the Town Board to fill vacancies in town offices, and...

**WHEREAS**, the Office of Court Administration has education requirements that are required before sitting the bench for town justices that can be waived for candidates who are practicing attorneys, and...

**WHEREAS**, Carl Schmidt submitted a letter of interest to the Town Clerk, and...

**WHEREAS**, Carl Schmidt is an attorney for a Syracuse-based law firm, and...

**WHEREAS**, it is in the best interest for the Town and the continuity of the Town of Granby Justice Court that the board fill the vacancy with a person who is a practicing attorney, and...

**BE IT RESOLVED**, that Carl Schmidt be appointed as Town Justice to complete the

vacant term that expires December 31, 2024, effective immediately.

**WHEREFORE**, the foregoing Resolution was put to a vote of the members of the Town Board on September 13, 2023, the result of which vote was as follows:

**BOARD MEMBER VOTE**

John Snow, Jr., Supervisor	Aye
Sandy Farrands, Councilor	Aye
Rodney DeLong, Councilor	Aye
Marianne Ingerson, Councilor	Aye
Irene Wiestner, Councilor	Absent

**Bond Resolution for Granby Town Park Project**

The following resolution was offered by Councilor Ingerson, who moved its adoption, and seconded by Councilor Farrands to wit:

BOND RESOLUTION OF THE TOWN OF GRANBY, OSWEGO COUNTY, NEW YORK, AUTHORIZING THE CREATION OF A TOWN PARK AND THE CONSTRUCTION OF IMPROVEMENTS THERETO AT AN ESTIMATED MAXIMUM COST OF \$860,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF UP TO \$860,000 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 desirable for the Town to create a new Town Park and acquisition and construction of improvements thereto all to be located on Town Land adjacent to the existing Town Hall and Highway Department at 812 Co. Rt. 8 (the "Project"); 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 now desires to authorize the Town Park, the construction of improvements thereto and the financing of the cost thereof.

**NOW, THEREFORE BE IT RESOLVED THIS SEPTEMBER 13, 2023 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 Town Board hereby determines that the creation of the new park on existing Town land and the acquisition and construction of improvements thereto is a Type II action under SEQRA and as such is not subject to further review under SEQRA.

**Section 2.** The creation and designation of the Town Park, together with the acquisition and construction of improvements thereto and the acquisition of equipment, machinery, apparatus and other improvements incidental thereto, having a maximum estimated cost of \$860,000, is hereby approved.

**Section 3.** The plan for the financing of the Project 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 \$860,000 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 4.** 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 5.** 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 6.** 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 7.** 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

**Section 8.** 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 9.** 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 10.** 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 11.** 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 12.** 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 13.** 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 14.** Trespasz & Marquardt, LLP is hereby appointed bond counsel to the Town in relation to the issuance of the obligations authorized herein.

**Section 15.** 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 September 13, 2023, the result of which vote was as follows:

**BOARD MEMBER VOTE**

John Snow, Jr., Supervisor	Aye
Sandy Farrands, Councilor	Aye
Rodney DeLong, Councilor	Aye
Marianne Ingerson, Councilor	Aye
Irene Wiestner, Councilor	Absent

**PAYMENT OF TOWN BILLS**

Councilor Ingerson made a motion, seconded by Councilor Farrands to approve payment of the Town bills as audited on Abstract #17, all were in favor, none opposed.

General Fund	\$16,161.58	Highway Fund	\$ 88,068.17
Sewer & Water	\$18,375.57	Capital Projects	\$115,173.30
V Fund	\$50,591.43		

**ADJOURNMENT**

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

Meeting adjourned at 9:14 P.M.