

September 8, 2015

Regular meeting of the Town Board of the Town of Sparta was held September 8, 2015, at 7:00 P.M.

Members present: Supervisor Mark Schuster, Deputy Supervisor Glenn Kreiley, Council Deb Halpenny, Len Davis and Bill Smith.

Minutes of the previous meeting were read. A motion was by Len Davis and seconded by Glenn Kreiley to accept the minutes as corrected. All voted yes. Carried

Public hearing was opened at 7:15 P.M. concerning the renewal of the Time Warner Franchise.

A motion was made by Glenn Kreiley and seconded by Bill Smith to adopt SEQR for salt storage facility. All voted yes. Carried.

Bids were opened for salt storage facility on September 8, 2015, at 2:30 P.M.. Two bids were received on the electrical. No bids were received on general construction. No action taken.

A motion was made by Glenn Kreiley and seconded by Len Davis to rebid for general construction for the salt storage facility and obtain quotes for the electric. All voted yes. Carried.

A motion was made by Len Davis and seconded by Deb Halpenny to adopt the preliminary budget and hold a public hearing on October 13, 2015, at 7:05 P.M. All voted yes. Carried.

A motion was made by Bill Smith and seconded by Glenn Kreiley to pass the following resolution:

Resolution to introduce proposed Local Law No. 3 of 2015 and to Schedule a Public Hearing:

WHEREAS, the Town Board of the Town of Sparta, New York, desires to consider adopting legislation to override the limit on the amount of real property taxes that may be levied by the Town of Sparta pursuant to General Municipal Law Section 3-c, and to allow the Town of Sparta to adopt a town budget for fiscal year 2016 that requires a real property tax levy in excess of the tax levy limit, also known as Town of Sparta Local Law No. 3 of 2015.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Sparta, New York, that proposed Local Law No. 3 of 2015 entitled "A Local Law to Override the Tax Levy Limit Established in General Municipal Law Section 3-c", which proposed Local Law is now in its final forms as appears by a copy thereof hereto attached, be and the same hereby is introduced for adoption; and

BE IT FURTHER RESOLVED that said proposed Local Law be laid upon the desks of the members of this Town Board on this date and remain there and a copy thereof be kept on file in the office of the Town Clerk until October, 2015, and that a public hearing be held before this Town Board on the 13<sup>th</sup> day of October, 2015, at 7:05 P.M., at the Sparta Town Hall, 8374 Sparta Center Road, Sparta, New York, on the advisability of enacting said proposed Local Law; and

BE IT FURTHER RESOLVED that a copy of said proposed Local Law be mailed to each member of the Town Board not in attendance at this meeting in a postpaid, properly addressed and securely closed envelope in a post box with the Town of Sparta, New York, not less than ten (10) calendar days, exclusive of Sunday, prior to the date of the public hearing;

BE IT FURTHER RESOLVED that the Town Clerk shall cause notice of said public hearing to be published once in the Livingston County News at least five (5) days prior to the date of said public hearing, which notice shall contain the time and place of said hearing, the title and purpose thereof, as well as a statement that a copy of said proposed Local Law is on file in the Town Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Sparta hereby confirms by the call of the roll this resolution.

All voted yes. Carried.

A motion was made by Glenn Kreiley and seconded by Len Davis to pass the following resolution:

RESOLVED, that pursuant to Highway Law Section 135-a providing for snow and ice control on County Roads within the Town, the Supervisor and the Town Highway Superintendent be and they are directed to execute a contract with the County Highway Superintendent of the County of Livingston for the Town to undertake and perform snow and ice control on County Roads located in the Town for the period beginning October 15, 2015, and ending October 14, 2016, at the rates therein provided. All voted yes. Carried.

A motion was made by Deb Halpenny and seconded by Bill Smith to contract with Townsend Oil for propane at a lock-in price of \$1.699/gallon. All voted yes. Carried.

A motion was made by Len Davis and seconded by Deb Halpenny to close the public hearing. All voted yes. Carried.

A motion was made by Deb Halpenny and seconded by Bill Smith to pass the following resolution:

An application has been duly made to the Board of the Town of Sparta, County of Livingston, New York, by Time Warner Cable Northeast LLC ("Time Warner"), a partnership organized under the laws of the State of New York doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, and holder of a cable television franchised in the Town of Sparta for

the approval of an agreement to renew Time Warner's cable television franchise for an additional fifteen (15) years. The Franchise Renewal Agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings.

A public hearing was held at the Town of Sparta on September 8, 2015, at 7:15 P.M. and notice of the hearing was published in the Livingston County News on September 3, 2015.

NOW, THEREFORE, the Board of the Town of Sparta finds that:

1. Time Warner has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. The quality of the Time Warner Service, including signal quality, response to customer complaints and bill practices has been in light of community needs; and
3. Time Warner has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
4. Time Warner can reasonably meet the future cable-related community needs and interest, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the Board of the Town of Sparta hereby renews the cable television franchise of Time Warner with the Town of Sparta for fifteen (15) years commencing on the date of approval by the Public Service Commission.

BE IT FURTHER RESOLVED that the Board of the Town of Sparta hereby confirms that this Franchise Renewal Agreement replaces the original franchise last amended on 10/06/06.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Sparta hereby confirms by the call of the roll this resolution.

All voted yes. Carried.

General Bills 139-171 were audited and approved for a total amount of \$9,277.13.  
Highway Bills 123-155 were audited and approved for a total amount of \$88,397.42.

A motion was made by Bill Smith and seconded by Deb Halpenny to adjourn the meeting.  
All voted yes. Carried.

Next regular meeting will be held on October 13, 2015, at 7:00 P.M.

Town Clerk