

April 11, 2023

Regular meeting of the Town Board of the Town of Sparta was held April 11, 2023 at 7:00 pm.

Members present: Supervisor Mark Schuster, Deputy Supervisor Deb Halpenny and Bill Smith Absent: Aaron Schreiner and Mary Ellyn Calabrese.

Minutes of the March 14, 2023 meeting were read. A motion was made by Deb Halpenny and seconded by Bill Smith to accept the minutes. All voted yes. Carried.

Minutes of the March 27, 2023 meeting were read. A motion was made by Bill Smith and seconded by Deb Halpenny to accept the minutes. All voted yes. Carried.

Assessor Holley Smalt reviewed her report.

Code Enforcement Officer Chuck Cagle reviewed his report.

Highway Superintendent Kevin Robinson reviewed his report.

A motion was made by Bill Smith and seconded by Deb Halpenny to forward a draft resolution, extending the current solar moratorium for up to one additional year, to the County Planning Board for their review and comment.

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

**TOWN OF SPARTA
RESOLUTION SCHEDULING A PUBLIC AUCTION
TO SELL PARCELS 1-4**

WHEREAS, the Town Board of the Town of Sparta met at a regular board meeting at the Town Offices located in the Town of Sparta, New York on the 11th day of April, 2023, commencing at 7:00 p.m. at which time and place the following members were:

<u>Present:</u>	Supervisor	Mark Schuster
	Councilperson	Deb Halpenny
	Councilperson	Bill Smith
<u>Absent:</u>	Councilperson	Aaron Schreiner
	Councilperson	Mary Ellyn Calabrese

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, in accordance with Town Law §64, Town Boards are authorized to convey or lease real property in the name of the Town, upon adoption of a resolution which shall be subject to permissive referendum; and

WHEREAS, on the 27th day of March, 2023, the Town Board of the Town of Sparta adopted a resolution, subject to permissive referendum, which declared approximately 15.55 acres owned by the Town of Sparta to be surplus property and authorized the Town Board of the Town of Sparta to sell said real property; and

WHEREAS, the Town Board of the Town of Sparta currently owns approximately 15.55 acres off of Route 256, the parcels are identified as follows:

- **Parcel 1-** approximately 3.042 acres
 - Known as SBL No. 162.-1-19.112
 - Deed can be found at Liber 1005, Page 258 at the Livingston County Clerk’s Office
 - Open building lot with 249 feet of road frontage
- **Parcel 2-** approximately 2.551 acres
 - Known as SBL No. 162.-1-19.112
 - Deed can be found at Liber 1005, Page 258 at the Livingston County Clerk’s Office
 - Open building lot with 260 feet of road frontage
- **Parcel 3-** approximately 2.785 acres
 - Known as SBL No. 162.-1-19.112
 - Deed can be found at Liber 1005, Page 258 at the Livingston County Clerk’s Office
 - Open building lot with 339 feet of road frontage

- **Parcel 4-** approximately 7.175 acres
 - Known as SBL No. 162.-1-10
 - Deed can be found at Liber 905, Page 288 at the Livingston County Clerk's Office
 - Timber wood lot with 20 foot right-of-way from Route 256

; and

WHEREAS, Parcel 1 is described as follows:

All that tract or parcel of land situate in the Town of Sparta, County of Livingston, State of New York, being part of Lot 44 Township 7, Range 6 bounded and described as follows: Beginning at the intersection of the westerly line of the N.Y.S. Route 256 with southeast corner of Samuel Bozzette (Ref. L. 712 D. 204); thence

1) South 14° 27' 24" West and along the westerly line of N.Y.S. Route 256 for a distance of 255 feet to a point; thence

2) North 89° 18' 24" East for a distance of 453.01 feet to a point; thence

3) North 03° 55' 25" East for a distance of 299.17 feet to the southwest corner of said Bozzette; thence

4) South 83° 31' 10" East and along the southerly line of said Bozzette for a distance of 505.93 feet to the westerly line of N.Y.S. Route 256 and the point of beginning. Containing therein 3.042 acres, shown as Parcel 1 on a map by Grover & Bates Associates, dated Sept. 1, 2022, Map No. 22-W25A

; and

WHEREAS, Parcel 2 is described as follows:

All that tract or parcel of land situate in the Town of Sparta, County of Livingston, State of New York, being part of Lot 44, Township 7, Range 6, bounded and described as follows: Commencing at the intersection of the westerly line of the N.Y.S. Route 256 with southeast corner of Samuel Bozzette (Ref. L. 712 D. 204); thence South 14° 27' 24" West and along the westerly line of N.Y.S. Route 256 for a distance of 255.00 feet to the point of beginning of the parcel to be described; thence

1) South 14° 27' 24" West and along the westerly line of N.Y.S. Route 256 for a distance of 198.92 feet to a point; thence

2) South 13° 53' 24" West and along the westerly line of said Route 256 for a distance of 63.58 feet to a point; thence

3) North 89° 18' 24" West for a distance of 412.14 feet to the a point; thence

4) North 03° 56' 00" East for a distance of 255.52 feet to a point; thence

5) South 89° 18' 24" East for a distance of 453.01 feet to the point of beginning. Containing therein 2.551 acres, shown as Parcel 2 on a map by Grover & Bates Associates, dated Sept. 1, 2022, Map No. 22-W25A.

Subject to a right of way 20.0 feet wide along and adjacent to the northerly line of said lot 2 for ingress/egress to Lot 4 as shown on the aforesaid map.

; and

WHEREAS, Parcel 3 is described as follows:

All that tract or parcel of land situate in the Town of Sparta, County of Livingston, State of New York, being part of Lot 44, Township 7, Range 6, bounded and described as follows: Commencing at the intersection of the westerly line of the N.Y.S. Route 256 with southeast corner of Samuel Bozzette (Ref. L. 712 D. 204); thence South 14° 27' 24" West and along the westerly line of N.Y.S. Route 256 for a distance of 453.92 feet to a point; thence South 13° 53' 24" West and along the westerly line of said Route 256 for a distance of 63.58 feet to the point of beginning of the parcel to be described; thence

1) South 13° 53' 24" West and along the westerly line of said Route 256 for a distance of 210.94 feet to a point; thence the following 12 courses along the centerline of a creek

2) South 14° 11' 24" West for a distance of 39.67 feet to a point; thence

3) South 27° 46' 40" West for a distance of 40.03 feet to a point; thence

4) South 35° 57' 32" West for a distance of 36.92 feet to a point; thence

5) South 15° 43' 07" East for a distance of 12.38 feet to a point; thence

6) South 89° 15' 31" West for a distance of 86.70 feet to a point; thence

7) South 83° 55' 17" West for a distance of 28.32 feet to a point; thence

8) North 76° 09' 07" West for a distance of 80.69 feet to a point; thence

9) North 67° 38' 21" West for a distance of 23.84 feet to a point; thence

10) North 72° 02' 37" West for a distance of 25.87 feet to a point; thence

11) South 77° 12' 44" West for a distance of 41.71 feet to a point; thence

12) South 41° 07' 35" West for a distance of 40.94 feet to a point; thence

13) North 87° 34' 14" West for a distance of 23.37 feet to a point; thence

14) North 03° 56' 00" East for a distance of 333.05 feet to a point; thence

15) South 89°18'24" East for a distance of 412.14 feet to the point of beginning. Containing there in 2.785 acres, as shown as Parcel 3 on a map by Grover & Bates Associates, dated Sept. 1, 2022, Map No. 22-W25A.

Containing therein 2.551 acres, shown as Parcel 3 on a map by Grover & Bates Associates, dated Sept. 21, 2022, Map No. 22-W25.

; and

WHEREAS, Parcel 4 is described as follows:

All that tract or parcel of land situate in the Town of Sparta, County of Livingston, State of New York, being part of Lot 44, Township 7, Range 6, bounded and described as follows: Commencing at the intersection of the westerly line of the N.Y.S. Route 256 with southeast corner of Samuel Bozzette (Ref. L. 712 D. 204); thence South 14° 27' 24" West and along the westerly line of N.Y.S. Route 256 for a distance of 255.00 feet to a point; thence North 89° 18' 24" West for a distance of 453.01 feet to the to the point of beginning of the parcel to be described; thence

1) South 03° 56' 00" West for a distance of 588.57 feet to a point; thence

2) South 86° 45' 46" West for a distance of 259.49 feet to a point; thence

3) North 03° 36' 52" East for a distance of 588.54 feet to the northerly line of Lot 43; thence

4) South 86° 45' 46" East for a distance of 532.66 feet along the north line of Lot 43 to the point of beginning. Containing there in 2.785 acres, as shown as Parcel 4 on a map by Grover & Bates Associates, dated Sept. 1, 2022, Map No. 22-W25A.

Containing therein 7.175 acres, as shown as Parcel 4 on a map by Grover & Bates Associates, dated Sept. 21, 2022, Map No. 22-W25.

; and

WHEREAS, the Town Board of the Town of Sparta wishes to sell said municipal property described above (parcels 1-4) through an auction; and

WHEREAS, the Town Board of the Town of Sparta wishes to hold a public auction on the 8th day of May, 2023 at 6:00 p.m., at the Town Hall of the Town of Sparta in order to sell the real property, described above; and

WHEREAS, the Town Board of the Town of Sparta wishes to hire and utilize the services of Thomas Wamp, who is a Licensed Real Estate Broker to assist the Town in selling the properties; and

WHEREAS, the Town Board of the Town of Sparta wishes to further hire and utilize the services of Pirrung Auctioneers, Inc., which is also a Licensed Real Estate Broker to assist the Town in auctioning the real property; and

WHEREAS, in accordance with the Real Estate Auction Agreement, parcels 1 through 4 (together) shall be subject to a minimum bid of fifty thousand dollars (\$50,000.00).

NOW ON MOTION OF Deb Halpenny which has been duly seconded by Bill Smith, be it

RESOLVED, that the Town Board of the Town of Sparta is hereby authorized to sell parcels 1 through 4 by means of a public auction; and be it further

RESOLVED, the Town Board of the Town of Sparta shall hold a public auction on the 8th day of May 2023, at 6:00 p.m. at the Town Hall of the Town of Sparta; and be it further

RESOLVED, the Town Board of the Town of Sparta shall hire Thomas Wamp and Pirrung Auctioneers, Inc. to assist the Town in conducting a public auction and selling the real property, described above; and be it further

RESOLVED, the Town Clerk of the Town of Sparta is hereby directed to publish a notice of said public auction in the Livingston County News.

All voted yes. Carried.

Sparta spring cleanup will be held May 6, 2023 from 8am to 1pm.

General bills were audited and approved for a total amount of \$6,129.62.

Highway bills were audited and approved for a total amount of \$33,019.31.

Street light bills were audited and approved for a total amount of \$208.34.

A motion was made by Deb Halpenny and seconded by Bill Smith to move into Executive Session for the purpose of discussing proposed, pending, or current litigation. All voted yes. Carried.

A motion was made by Bill Smith and seconded by Deb Halpenny to move out of Executive Session. All voted yes. Carried. No action taken.

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 May 9, 2023 at 7:00 pm.

TOWN CLERK

Sheila Duffy