

July 10, 2018

Regular meeting of the Town Board of the Town of Sparta was held July 10, 2018, at 7:00 P.M.

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

Minutes of the June 12, 2018, meeting were read. A motion was made by Mark Caldwell and seconded by Bill Smith to accept the minutes as read. All voted yes. Carried.

Assessor Holley Smalt reviewed her report.

Code Enforcement Officer Chuck Cagle reviewed his report.

A motion was made by Glenn Kreiley and seconded by Deb Halpenny to transfer \$934.00 from AA.1620.400 Buildings Contractual and \$2,000.00 from AA.8810.400 Cemetery Contractual, for a total of \$2,934.00, as follows: \$539.00 to AA.1910.400 Unallocated Insurance Contractual, \$395.00 to AA.1950.400 Tax Assessment on Property, and \$2,000 to AA.8810.100 Cemetery Contractual, for a total of \$2,934.00. All voted yes. Carried.

A motion was made by Bill Smith and seconded by Glenn Kreiley to transfer \$17,000.00 from DA.5130.400 Machinery Contractual, \$13,000.00 from DA.5148.400 Services for Other Gov't Contractual, \$100.00 from DA.9055.800 Disability Insurance, and \$6,935.00 from DA.5999.000 Appropriated Fund Balance/Unanticipated Revenue, for a total of \$37,035.00, as follows: \$6,935.00 to DA.5130.200 Machinery Equipment, \$300 to DA.5130.431 Machinery Contractual for 2007 International, \$1,600.00 to DA.5130.432 Machinery Contractual for 2003 Sterling, \$200.00 to DA.5130.433 Machinery Contractual for 2018 International, \$12,000.00 to DA.5130.437 Machinery Contractual for 2013 International, \$200.00 to DA.5130.438 Machinery Contractual for John Deere Loader, \$200.00 to DA.5130.439 Machinery Contractual for 2012 CAT 315 Excavator, \$2,500.00 to DA.5130.442 Machinery Contractual for 2014 Ford 1 Ton, \$13,000.00 to DA.5142.400 Snow Removal Contractual and \$100.00 to DA.9050.800 Unemployment Insurance, for a total of \$37,035.00. All voted yes. Carried.

Highway Superintendent Kevin Robinson submitted his report.

General Bills 81-90 were audited and approved for a total amount of \$3,304.91.

Highway Bills 110-119 were audited and approved for a total amount of \$143,409.64.

A motion was made by Glenn Kreiley and seconded by Mark Caldwell to appoint Linda Carney to the vacant Planning Board position which expires December 31, 2019. All voted yes. Carried.

A motion was made by Mark Caldwell and seconded by Glenn Kreiley to go into Executive Session to discuss pending litigation. All voted yes. Carried.

A motion was made by Glenn Kreiley and seconded by Bill Smith to go out of Executive Session. All voted yes. Carried.

No action taken.

A motion was made by Mark Caldwell and seconded by Bill Smith to pass the following resolution:

RESOLVED, that the Code Enforcement Charles Cagle, is hereby authorized, with the assistance of the Town Attorney, Louis J. Colella, Esq., to commence civil and criminal proceedings against John L. Haynie for violations of the Town of Sparta's Zoning Code, Local Law 1-2009, the Uniform Building and Fire Prevention Code, and Local Law #2 of 1991, revised in 1998, concerning his property at 7805 Stagecoach Road in the Town of Sparta, Livingston County, New York; and be it further

RESOLVED, that Town Attorney, Louis J. Colella, Esq., is hereby authorized and directed to prosecute all of said criminal proceedings and civil actions against John L. Haynie and shall be reimbursed at his normal hourly rate of \$280.00 per hour for all reasonable time he has incurred and will incur in this case, subject to this Board's review of his bills. All voted Yes. Carried.

A motion was made by Deb Halpenny and seconded by Glenn Kreiley to pass the following resolution:

RESOLVED, that concerning the real property of John L. Haynie, located at 7805 Stagecoach Road in the Town of Sparta, Livingston County, New York, and based on the reports of Charles Cagle, Code Enforcement Officer, Hager Engineering, and Kevin J. Tuttle of Advanced Building Inspection, the Town Board of the Town of Sparta

1. Finds that there is probable cause to believe that the residential-type structure as well as all other structures on said premises are unsafe structures as defined by law;
2. Directs that with the assistance of its attorney, Louis J. Colella, Esq., it shall take call further steps required by Town of Sparta Local Law 1-2007 to prosecute an unsafe structure proceeding concerning said property, as well as any later court action necessary in a criminal and/or civil proceeding to seek compliance by the owner with the Town's findings and directives; and
3. Hereby hires Attorney Colella who is hereby authorized to (a) assist the Town in taking all steps required by said Local Law concerning the probable unsafe structures discussed herein, and (b) prosecute John L. Haynie, and/or any other reputed owner and other necessary parties to the extent necessary by criminal and civil proceedings to gain compliance with the Town's findings and directives, for which Attorney Colella shall be reimbursed at his normal hourly rate (now \$280.00 per hour) for all reasonable time he has incurred and will incur on this case, subject to this Board's review of his bills for same.

All voted yes. Carried.

Next regular meeting will be held on August 14, 2018, at 7:00 P.M.

Town Clerk