

The Regular meeting of the Sidney Town Board was called to order by Eric Wilson Town Supervisor at 7:00 p.m. on December 14, 2023, in the boardroom at 44 Grand Street, Sidney. Prior to the meeting, bills were audited by the Board.

Eric Wilson	Supervisor:
Codey Lambrecht	Highway Superintendent
Bill Heath	Councilman
Bill Hunt, Jr	Councilman
Frank Selleck	Councilman
Paul Muratore	Councilman
Joseph A. Ermeti	Attorney
Sheila R Paul	Clerk

**PLEDGE TO THE FLAG**

**SILENT MOMENT OF REFLECTION/PRAYER**

**APPROVE TOWN BOARD MINUTES:** Regular Meeting held on November 9, 2023, Motion to accepted minutes, by Mr. Selleck seconded by Mr. Muratore and carried. **AYES:** E. Wilson, B. Heath, B. Hunt. **NAYES:** None

**APPROVE PAYMENT OF BILLS:**

**General A Fund Voucher:** 23-418 thru 23-463 in the amount of \$ 72,182.78 Motion by Mr. Muratore seconded by Mr. Selleck and carried. **AYES:** E. Wilson, B. Heath, B. Hunt. **NAYES:** None

**General B Fund Voucher:** 23-22 Amount of \$ 2,950.00 Motion by Mr. Hunt and seconded by Mr. Heath and carried. **AYES:** E. Wilson, F. Selleck, p. Muratore. **NAYES:** None

**East Sidney Lake Voucher:** 23-82 thru 23-86 in the amount of \$ 3,321.20 Motion by Mr. Heath seconded by Mr. Selleck and carried. **AYES:** E. Wilson, P. Muratore, B. Hunt. **NAYES:** None

**SL Sidney Center Street Light:** 23-12 in the amount of \$ 344.13 Motion by Mr. Muratore seconded by Mr. Hunt and carried. **AYES:** E. Wilson, F. Selleck, B. Heath. **NAYES:** None

**Total General Vouchers: \$ 78,798.11**

**Highway DA Fund Vouchers:** 23-134 thru 23-141 in the amount of \$ 23,262.60 Motion by Mr. Selleck seconded by Mr. Heath and carried. **AYES:** E. Wilson, B. Hunt, P. Muratore **NAYES:** None

**Highway DB Fund:** 23-56 thru 23-62 in the amount of \$ 25,957.95 Motion by Mr. Heath and seconded by Mr. Selleck and carried. **AYES:** E. Wilson, P. Muratore, B. Hunt. **NAYES:** None

**Total Highway Vouchers: \$ 49,220.55**

**CM Hospital Fund Vouchers:** 23-176 thru 23-204 in the amount of \$ 36,063.88 Motion by Mr. Hunt seconded by Mr. Heath and carried. **AYES:** E. Wilson, F. Selleck, P. Muratore. **NAYES:** None.

**Total Vouchers paid: \$ 164,082.54**

**CORRESPONDENCE:** Ownership of the Replica O & W Railroad Telegraph building that is located at 44 Grand Street, Sidney NY.

**REPORTS/DISTRIBUTED:**

Monthly reports of Supervisor, Bookkeeper and Town Clerk. Clerk is submitting checks totaling in \$ 3,482.00 in fees collected during November 2023

**REPORTS/ORAL**

**HIGHWAY-** Highway Superintendent Codey Lambrecht: Crew been doing good amount of tree work. Starting to trim back the roads that we plan on paving next year. The snowstorm on Monday set us back as we have a lot of tree damage on our roads.

In the last month, the crew has been called in seven times for snow and ice removal.

Update on the Ram 5500 that was previously ordered has a shipment date of 1/31/2024. Other than the chassis everything else is in stock and ready to be placed on the truck.

We have started updating our signage. We have sizable number of signs that need to be replaced due to no reflectivity anymore. Will be placing an order with the next month.

**SUPERVISOR-** Eric Wilson Nothing to report.

**BOOKKEEPER-** Karen Kropp: Nothing to report.

**TOWN CLERK-** Sheila Paul: Asked the board to be able to open a Saving Money Market account for Taxes.

**RESOLUTION 8 -2023 AUTHORIZING SIDNEY TOWN CLERK OFFICE TO OPEN A MONEY MARKET SAVINGS ACCOUNT FOR TAXES IN 2024.**

A motion was made by Supervisor Mr. Wilson and seconded by Council Member Mr. Muratore.

December 14, 2023  
Sidney, New York  
Passed Unanimously

I, Sheila R Paul, Town Clerk of the Town of Sidney, Delaware County, New York, DO HEREBY CERTIFY that I have compared the preceding resolution with the original thereof filed in my office at Sidney, New York on the 14<sup>th</sup> day of December 2023 and adopted by the Town Board of the Town of Sidney, Delaware County, New York, on the 14<sup>th</sup> day of December 2023 and that the same is a true and correct copy of the said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said Town of Sidney this 21st day of September 2023.

Sheila R. Paul  
Town Clerk – Town of Sidney

Announced Holiday hours, which are posted on my door to the building and my walk-up window. The following are the Holiday hours that the Clerk’s office will be closed.

Friday December 22<sup>nd</sup>, Monday December 25<sup>th</sup>, and Tuesday December 26<sup>th</sup>. Office will reopen on Wednesday December 27<sup>th</sup>. Office will be closed on Friday December 29<sup>th</sup> and Monday January 1<sup>st</sup>, 2024. Office will open on Tuesday January 2<sup>nd</sup>, 2024, and collecting taxes start.

**COMMITTEE REPORTS**

***Highway***-Selleck & Wilson: Nothing to report.

***Hospital***- Hunt/ Wilson: New tenant almost moved it.

***Insurance***-Heath / Hunt: Bill VanGorder our insurance rep presented the new insurance policy for the Town and that the increase is \$ 5,358.28 which is about a 7% increase.

**Mr. Hunt made a motion to accept the Insurance policy and it was seconded by Mr. Heath and Carrie. AYES: E. Wilson, F. Selleck, P. Muratore. NAYE: none.**

***Zoning & Planning***- Muratore/ Selleck:

Delaware County Planning Board recommended the approval of the Common Plan of Development Overlay for the Town Board to Vote

**ZONING AMENDMENT for Local Law #1.2 for the Town of Sidney**

Pursuant to the provisions of the New York State Town Law, the Town Board of The Town of Sidney, New York, hereby proposes to amend the Zoning Law of the Town of The Town of Sidney as follows:

**In Article III Definitions:**

**Add Definition Common Plan of Development** Any major subdivision or development plan where a contiguous area is divided or used for the purpose of developing multiple separate and distinct construction activities that may take place at different times on different schedules under one common approved plan. The common plan as approved by the Town of Sidney Planning Board must be reviewed and evaluated for development potential as one action and all potential impacts must be evaluated cumulatively to determine mitigation and buildability. The plan must be filed accordingly in the Delaware County Clerk’s Office.

**In Article IV – Section 400 Districts** to be amended to include:

“CPD” Common Plan of Development Overlay

**Add Article V-B Common Plan of Development (CPD) Overlay District**

**Add Section 500-B. Description** - This is an overlay district and includes all lands shown on the Common Plan of Development Overlay Map(s) on file in the Town Clerk's office and hereby declared to be part of this Local Law. All zoning standards of the underlying district shall apply in addition to the standards and requirements of this section. The Common Plans of Development shown on the map(s) include:

1. Gallop Hill Subdivision as approved by the Town of Sidney Planning Board (08/26/1988)
2. Hamlet View Estates as approved by Town of Sidney Planning Board approval (09/01/1987)
3. Alpine Lake Subdivision as approved by the Town of Sidney Planning Board (06/17/1987)
4. Wheat Hill Subdivision as approved by the Town of Sidney Planning Board (02/06/1987)
5. Any Common Plan of Development as approved as a CPD by the Town of Sidney Planning Board after the adoption of this Section.

**Add Section 501-B. Purpose** - The purpose of these overlay zones is to protect the integrity and design of development plans purposefully created to meet the goals and objectives of the Town of Sidney as identified in the Town of Sidney Comprehensive Plan. The integral role of these overlay zones is intended to preserve the rural character of the Town of Sidney while protecting and preserving such important features as the natural environment and sensitive land areas mitigated through the plans approval process.

Sensitive natural features that shall be considered in developing within a Common Plan of Development District shall include, but not be limited to:

- Steep slopes
- Wetlands, streams, and waterbodies
- Soil types and poorly drained soils
- Scenic vistas
- Cultural resource areas, including those of potential historic significance.

**Add Section 502-B. - Determination of Applicability**

1. The Code Enforcement Officer shall decide during the application process for subdivision, site plan review or other approvals as required by this or other laws enforced by the Town of Sidney, whether a particular proposal will be located within a mapped CPD zone. All applications for approval, with the exception of residential building permit applications, within the mapped CPD shall be referred to the Town of Sidney Planning Board for review and recommendation, or in the case of Subdivision and Site Plan Review, approval.
2. The Planning Board shall, as part of the review process, determine the applicability of the CPD requirements for a particular application. The Planning Board shall apply the CPD requirements of minimum lot size, frontage, and land use to each application prior to making a recommendation to the Code Enforcement Officer for all applications with the exception of Subdivision and Site Plan Review.
3. The Planning Board shall consider all standards and applicability of the CPD prior to approval of Subdivision or Site Plan Review for any application within the mapped CPD.
4. The standards applied for development of lots shall include the most restrictive standards of both the underlying district and the overlay district.
5. Any conflict with these standards or their applicability shall be referred to the Town of Sidney Zoning Board of Appeals for an interpretation.

**Add Section 503-B. - Permitted Principal Uses** - Same as underlying district.

**Add Section 504 – B. - Permitted Accessory Uses** - Same as underlying district.

**Add Section 505-B. - Special Permit Uses** - Same as underlying district.

Special permit uses require an application for approval to the Town of Sidney Planning Board. Site plan review may also be required, depending upon the nature and complexity of the application.

**Add Section 506-B. - Other Provisions and Requirements** - Any property within the CPD shall comply with the requirements of this section prior to the issuance of a building permit or other permit required by the Town of Sidney. Any application requiring Subdivision, Site Plan approval or a Special Use Permit, from the Town of Sidney Planning Board shall be required to notify in writing via certified mail all properties within 1,000 feet of the outside border of the property of the proposed application. Proof of mailing shall be provided at time of application.

**Add Section 507-B. - Density, Height, Area, and Yard Requirements**

1. Minimum lot size: 10-acres
2. Minimum frontage: 250 feet
3. Maximum height: Same as the underlying district
4. Front setback: Same as underlying district OR in cases where adjacent lots are developed no new building line shall cross the front plane of the closest buildings on adjacent lots.
5. Side and rear setback: Same as underlying district
6. Maximum lot coverage: No more than 30% coverage of any lot
7. Maximum lot depth to width ratio: No more than 4 to 1

**In Section 907 Standards for review**

**Add bullet 10.**

The Planning Board may review an application for special use permit but shall not take action on or approve such permit when there are outstanding code or zoning violations on a parcel which is subject to the special use permit.

Exception: The Planning Board may give partial approval of such permit application if the permit is required to mitigate the outstanding violations.

This amendment shall take effect immediately upon filing with the New York State Department of State.

Motion made by Mr. Muratore to accept the **ZONING AMENDMENT for Local Law #1.2 for the Town of Sidney** and seconded by Mr. Selleck and carried. **AYES:** E. Wilson, B. Heath, B. Hunt. **NAYES:** None

**East Sidney Lake-** Good season. One camper left at park, trying to get it moved. Working on playground and lawn mower.

**Finance-**Muratore/ Wilson: Dealing with a fraud issue with NBT Bank.

**IT-** Hunt/ Muratore: Mr. Muratore asked the board about purchasing equipment to live stream board meeting, the cost is between \$1200.00 and \$1300.00A motion was made by Mr. Wilson and seconded by Mr. Heath and carried. **AYES:** F. Selleck, B. Hunt, P. Muratore. **NAYES:** None

Looking at Credit Card company for online payments through Edmunds Gov for tax payments.

**Justice Committee-** Hunt/ Heath:

Town of Sidney Judge Honor Gregory McCann attended the Board meeting to voice his concern over the Towns 2024 Town Budget for his department. Mr. McCann claims that his proposal budget was cut 62%. He also claims that he was not aware when the budget workshop was scheduled and was surprised that the

approved budget was release in November 14, 2023 (As an action item) Mr. Wilson Town Supervisor made a commitment along Town Councilman Mr. Heath that they would meeting with Mr. McCann before the next board meeting to discuss his concerns with the approved 2024 Budget.

Meeting with Judge McCann regarding Budget. Mr. Wilson is scheduled to meet on December 12<sup>th</sup> at 10:00 a.m. Mr. Heath is not able to meet at that time.

***DCO liaison-*** Heath: A few calls with loss dogs and are looking at some licensing issues within the Town and Village.

**NEW BUSINESS**

**UNFINISHED BUSINESS**

**COMMENTS FROM THE FLOOR**

Mr. Bradshaw gave a Thank you to all regarding the Zoning Law.

**Executive Session:** At 8:00 p.m. Mr. Wilson motion to get into Executive Session and second by Mr. Heath and carried. AYES: F. Selleck, P. Muratore, B. Hunt. NAYES: None. To discuss Town Personnel.

At 8:30 p.m. Mr. Wilson motioned to come out of Executive Session and seconded by Mr. Selleck and carried. AYES: B. Heath, B. Hunt, P. Muratore.

Motion was made by Mr. Heath that all contract with Town Business need to be approved by Town Attorney and seconded by Mr. Wilson.

Mr. Wilson motion to adjourn the meeting at 8:45 p.m. and it was seconded by Mr. Heath and carried. AYES: B. Hunt, F. Selleck, P. Muratore. NAYES: None.

Next Regular Board Meeting and Organization meeting will be held on January 4, 2024, at 7:00 p.m.

Respectfully submitted,

Sheila R Paul, Town Clerk