

TOWN OF LEICESTER
SPECIAL BOARD MEETING
NOVEMBER 8, 2023, AT 7:00 P.M.

The Regular/Public Hearing Meeting of the Leicester Town Board was held on Tuesday, November 8, 2023, at 7:00 p.m. at the Leicester Town Hall.

Present: David Fanaro, Supervisor; Matthew Durbin, Karen Roffe, Gerald Hull, Jason Yasso Councilmembers; Amy Neumann, Town Clerk; James Campbell, Town Attorney.

Others: Dan Christiano, Rich Neumann, Lisa Semmell, Renee Fanaro, James Kane, John Yasso

Public Hearings, Tax Cap, and Town Budget 2024

Open Both Public Hearings on Tax Cap and Town Budget 2024: Supervisor Fanaro opened both of Public Hearing at 7:01 p.m. Modifications from Accountant late coming in for the Town Budget and encouraged the Town Board to look them over. Supervisor Fanaro said we will explain the changes, take comments, and leave the public hearings open on both hearings and tax cap is mute due to not even coming close. Supervisor Fanaro said there were a couple mistakes and typos. Supervisor Fanaro directed Deputy Supervisor Yasso to talk about the mistake he found.

Town Board Comments: Councilmember Yasso, said there is supposed to be a 4% increase across the board and there was a clerical error on the Supervisor line at \$16,000.00 and is a 60% raise, amended on new sheet she just gave us to \$11,896.00 besides the contractual obligations with the highway, Councilmember Yasso said he saw no other glaring errors. Councilmember Karen Roffe said they had all been corrected. Councilmember Roffe stated there was an error in the Historians Personal Service and that they have all been taken care of.

Russ Page, Highway Superintendent asked the question History of DB5110.1 is it an error of going back in amount as compared to recent years in past? Councilmember Roffe started to answer, and Supervisor Fanaro said the trend with the new accountant is she is taking actual numbers of where we have ended up and that is making a projection for 2024. Highway Superintendent pointed out that the numbers he gave were actual what was spent.

Amy Neumann, Town Clerk pointed out that this budget was sent to her last minute before this board meeting and encouraged the Town Board to look at the budget lines individually before passing. James Campbell brought up that the payment to the Village coming up in a Month to the Village.

Public Comment: Comments from public included Lisa Semmel, John Yasso, Dan Christiano.

Close Public Hearings: Supervisor Fanaro Closed the Tax Cap Hearing at 7:30 p.m. Supervisor Fanaro Closed the Budget Hearing for 2024 at 7:59 p.m.

Special Board Meeting Business

Water Relevy Resolution: A Motion was made to Relevy those owing money for water bills by Councilmember Karen Roffe and Seconded by Councilmember Matthew Durbin.
Motion carried. Ayes 5, Noes 0.

Proposed Local Law to Exceed Tax Cap: Supervisor Fanaro asked if there were any comments from the Board or the Public. There was none. A Motion was made to table by Councilmember Matthew Durbin, and Seconded by Councilmember Gerald Hull, No Action taken.

Resolution: Payment to the Village of Leicester: James Campbell, Town Attorney. This was not on Agenda. A Motion made to adopt the Resolution by Town Councilmember Karen Roffe and Seconded by Councilmember Jason Yasso.
Motion carried. Ayes 5, Noes 0.

**TOWN BOARD
TOWN OF LEICESTER
COUNTY OF LIVINGSTON**

RESOLUTION

At a meeting of the Town Board of the Town of Leicester,
Livingston County, State of New York, held at the Leicester Town
Hall on the 8th day of November 2023.

WHEREAS, the Town of Leicester (“Town”) has previously entered into a Settlement Agreement (“Settlement Agreement”) with the Village of Leicester (“Village”) to settle a Village claim with respect to metered water on such terms as the Town Board has duly determined are just, reasonable and to the interest of the Town; and

WHEREAS, the Settlement Agreement calls for the payment by the Town of One Hundred Eighty Thousand and NO/100ths Dollars (\$180,00.00) to the Village in four equal annual installments of Forty-Five Thousand and NO/100ths Dollars (\$45,000.00) (“Annual Debt Payments”) without interest, each such payment being due on or before December 15th, with the first such Annual Debt Payment having been made on or about December 14, 2022; and

WHEREAS, the Town previously authorized the borrowing of such funds as may be necessary to accomplish such Annual Debt Payments by Bond Resolution adopted on August 16, 2022; and

WHEREAS, the Town has determined that it is in the best interest of the Town to perform a “self-borrow” from Town funds available in the Highway Department Equipment Reserve Fund, and that such self-borrow will significantly reduce the cost of financing the repayment of the Annual Debt Payments, which the Town otherwise does not have adequate liquid funds to repay; and

WHEREAS, the Town has further determined that it is in the best interest of the Town to borrow the sum of Forty-Five Thousand and NO/100ths Dollars (\$45,000.00) from the Town of Leicester Highway Department Equipment Reserve Fund, which shall be repayable over a five (5) year term, at an annual interest rate of three per cent (3.00%) and which such borrowed funds will be used in their entirety to pay the Annual Debt Payment that is due on or before December 15, 2023; and

WHEREAS, the Town has determined that no additional public hearing is required to approve such self-borrowing as the same is authorized pursuant to the Bond Resolution adopted August 16, 2022; and

WHEREAS, the Town has determined that the proposed action authorizing the self-borrowing constitutes a Type 2 Action under the New York State Environmental Quality Review Act 6 NYCRR 617.5.

NOW, THEREFORE, upon motion by Councilperson Karen Roff, seconded by Councilperson Jason Yasso, it is hereby:

RESOLVED, that Town shall borrow the sum of Forty-Five Thousand and NO/100ths Dollars (\$45,000.00) from the Town of Leicester Highway Department Equipment Reserve Fund, which shall be repayable to the Town of Leicester Highway Department Equipment Reserve Fund over a five (5) year term at an annual interest rate of three per cent (3.00%) and which such borrowed funds will be used in their entirety to pay the Annual Debt Payment that is due on or before December 15, 2023; and be it further

RESOLVED, that the prior self-borrowing for the Annual Debt Payment made on December 14, 2022, is hereby ratified by this resolution.

DATED: November 8, 2023

VOTE OF THE BOARD:

The vote duly taken resulted as follows:

Dave Fanaro, Supervisor	_Aye_
Matt Durbin	_Aye_
Gerald Hull	_Aye_
Karen Roffe	_Aye_
Jason Yasso	_Aye_

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LEICESTER

Amy Neumann - Town Clerk

2024 Preliminary Budget: A Motion was made to adopt the Preliminary Budget to Final Budget for the 2024 year as amended with the changes from accountant by Councilmember Karen Roffe, and Seconded by Councilmember, Matt Durbin
Motion carried. Ayes 5, Noes 0. Adopted

Tarpon Towers: Jim Campbell, Town Attorney: Town Attorney, James Campbell describing the Lease of \$180,000.00 Lump Sum and asking Town Board if they want him to continue to negotiate. The Town Board wants the Town Attorney to negotiate more.

Adjournment: A Motion made to adjourn the meeting at 8:12 p.m. by Councilmember Karen Roffe, and Seconded by Councilmember, Jason Yasso.
Motion carried. Ayes 5, Noes 0.

Respectfully Submitted,
Amy Neumann, Town Clerk