

Town Board Minutes
February 8, 2022
Local Law 1-22 Over-ride Tax Cap Levy

The monthly meeting held on February 8, 2022 at 56 Geneva St. Dresden New York and called to order by Supervisor Martini at 7:30PM.

Present: Supervisor Pete Martini, Councilman; Colby Petersen, Lawrence Martin, Grant Downs, Bruce Henderson

Others present: George & Rosa Thompson, Gary McIntee, Darlene Conley, Robert Miller, Dwight James- Code Officer, Nancy Sarver, Tim Chambers-Hwy Supt, District II Legislator Rick Willson.

Mr. Martini led the pledge of allegiance.

Mr. Martini opened public hearing for Local Law 01/2022 entitled " To override the Tax Levy limit established in General Municipal Law §3-c for 2023 Budget at 7:32pm with no one desiring to speak on the local law, Supervisor moved on to other business.

Abstract of vouchers - Mr. Martini presented the abstracts.

Motion by Mr. Petersen, 2nd Mr. Martin that the bills on the General A & B Accounts in the amount of \$ 4,921.50 be paid, carried by all.

Motion by Mr. Downs, 2nd Mr. Martin that the bills on the Highway DA & DB Accounts in the amount of \$ 8,690.96 be paid, carried by all.

Mr. Chambers explained that the heated wipers, (questioned at last month meeting during his absence,) were for the highway pickup and was a great asset during the recent ice storm to keep the pickup windshield clear.

Motion by Mr. Petersen, 2nd Mr. Downs to pay the first installment of 2022 Fire protection contract \$ 33,5000.
Carried by all.

Discussion on clean up day for 2022. Last Saturday in July is usually unbearably hot for volunteers. July date originally set in 2008 to coincide with Firehouse chicken Barbeque held on same weekend. Firemen no longer hold this annual event.

Date for 2022 Town Clean up: June 18, 2022 at 8 am - 2 pm.

Motion by Mr. Martin 2nd Mr. Petersen to approve the Jan 11, 2022 minutes with correction carried by all.

Motion by Mr. Downs 2nd Mr. Martin approving the Water District #1 Pubic Hearing minutes held on January 25, 2022, carried by all.

Mr. Martini introduce the following Resolution # 02-01

Town Assessor Resolutions Regarding Tax Exemptions

Whereas, on December 26, 2021, the Governor of New York issued Executive Order 11.1, and

Whereas, this Executive Order allows for the automatic renewal of the real property tax exemptions afforded in subdivisions 7, 7-a and 8 of Section 459-C of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of Section 467 of the Real Property Tax Law if the assessing unit adopts a resolution directing the assessor to grant exemptions pursuant to such section on the 2022 assessment roll to all property owners who received that exemption on the 2021 assessment roll, and

Whereas, this would allow the Low-Income Senior/Disabled property owner to not have to file an exemption application with the Town of Torrey Assessor in order to continue their exemption on the 2022 Assessment Roll, and

Whereas, this law also allows the governing body of the assessing unit to put a local option for when the assessor might require a require a renewal application, now therefore let it be

Resolved, that the Torrey Town Board, allows the Town of Torrey Assessor to automatically grant exemptions for and RPTL 467 (and 459-C as applicable) as were received on the 2021 Assessment Roll onto the 2022 Assessment Roll, and be it further

Resolved, that the Town of Torrey Assessor can review the 2022 income for property owner's whose income may have dropped in 2020 to ensure that the largest exemption is granted to the property owner if the income is provided by the federal deadline to submit income taxes with an extension, and be it further

Resolved, that the Town of Torrey Assessor can require a renewal application to be filed by taxable status date, in instances where the Assessor has reason to believe that an owner who qualified for the exemption on the 2021 Assessment Roll may have since changed their primary residence, added another owner to the deed, transferred the property to a new owner, or died.

This resolution was offered by Mr. Petersen 2nd Mr. Downs with the following roll call vote: Martini - Aye Petersen - Aye Downs - Aye Martin - Aye Henderson-Aye **Adopted 5 Ayes 0 Nays**

Discussion on Yates County Voting Redistricting Plan. Mr. Petersen gave an overview of the proposed district changes and possible impacts of changes. Discussion on weighted votes, Board of Supervisors and Legislators.

Rick Willson is on the Redistricting Ad-hoc committee supports weighted votes after speaking with Jack Clancy and his past experience, he would like to see a Board of Supervisors reintroduced.

Mr. Downs brought numbers from the county legislator meeting. Discussion on County collection of sales tax. Why is sales tax not shared with local municipalities? More money could help municipalities pursue a much-needed source - Water.

Tim Chambers gave the Highway report. Following the recent snow & ice event, hours of overtime was high. Working on beach project, making arrangements to move electric service underground to building.

Would like to update personnel policy to address future employee hiring. Reported issues with the loader. Gave figures for possible repair bill. He has several quotes for a new loader (with or without town JD loader as trade) No action taken.

Reported issue with parking on roadway at 2005 Perry Point Rd. during snow removal. Property owners must plow the driveway for parking or make other arrangements He will send a letter of reminder to owner.

Discussed a concern, recently during the snow event there was an ambulance that could not get to residence because of snow, he went and plowed area out for ambulance. Another call at Boston Rd residence needing ambulance service he went to and offered assistance plowing and sanding. Does he have the boards support during these types of emergency situation, the board agreed this is important aid and supports his decision to assist the residents with town equipment during an emergency situation.

Mr. Downs offered the boards appreciation for the highway crew for the past month's snow and ice control.

Dwight James gave code report. Issued 25 permits to date for 2022. Covered one fire inspection for Benton in their code officer's absence. Traveled 103 miles.

Discussion on Torrey Station update. Mr. James has been in contact with Attorney for Town and advise course of action. He will send out a notice of violation with the board's approval. Mr. Downs made motion to proceed ahead with code action on Torrey Station 2nd Mr. Petersen, carried by all.

Mr. Petersen reported the County Treasurer and County Planner are presently working with NYS DEC on Torrey Station to determine the actual status and what the DEC remediation requirements for this property are presently if any.

Water District 1- no report.

Perry Point Water district- Mr. Martin went to the Village earlier today for a copy of 1995 water contract and amendments with the Village of Penn Yan but Clerk was out of office. The attorney for the Town requested a copy for review.

Nancy Sarver inquired no action has taken place for Arrowhead Beach Water District. Linda Downs presented a petition in 2017. Discussion in 2017 of combining projects (Perry Point & Arrowhead/ Rock Haven) but was declined as CPL and Municipal Solutions stated the water grants/funds would be divided between projects.

Independent projects would get more Grants/funding from USDA RD. CPL also advised only pursue two projects at that time which were Map Plan Reports for WD # 1 and Perry Point WD.

Mr. Martini asked if there were any interested parties to speak on the Local Law on the table, as no one desired to speak he closed the public hearing at 8:30PM

RESOLUTION No. 2-02 Mr. Martini introduced the following resolution 2nd by Mr. Petersen;

Special districts and/or fire protection districts, to override the tax levy limit established in General Municipal Law §3-c"

WHEREAS, the Town Board of the Town of Torrey is the governing body of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof; and

WHEREAS, it is the intent of this resolution to override the limit on the amount of real property taxes that may be levied by the Town of Torrey, on behalf of the aforesaid special districts and/or fire protection districts, pursuant to General Municipal

Law §3-c, and to allow the Town of Torrey, on behalf of the aforesaid special districts and/or fire protection districts, to adopt a budget for the fiscal year 2023 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c; and

WHEREAS, this resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government's governing body to override the tax levy limit for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Torrey, County of Yates, is hereby authorized to adopt a budget for the fiscal year 2023 on behalf of the special districts and/or fire protection districts set forth in the Schedule attached hereto and made a part hereof that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Roll call vote: Martini - Aye Petersen - Aye Downs - Aye
Martin - Aye Henderson-Aye

Adopted 5 Ayes 0 Nays

RESOLUTION No. 2-03 Mr. Martini introduced the following resolution 2nd by Mr. Downs;

"A local law to override the tax levy limit established in General Municipal Law §3-c",

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Torrey for a public hearing to be held by said Town Board on February 8, 2022 at 7:30 p.m. at Torrey Town Hall, 56 Geneva Street, Dresden, New York, to hear all interested parties on a proposed Local Law to override the tax levy limit established in General Municipal Law §3-c; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Torrey, on February 2, 2022, and all other notices required by law to be given were properly served, posted or given; and

WHEREAS, said public hearing was duly held on February 8, 2022 at 7:30 p.m. at the Torrey Town Hall, 56 Geneva Street, Dresden, New York, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposed Local Law, or any part thereof; and

WHEREAS, the Town Board of the Town of Torrey, after due deliberation, finds it in the best interest of the Town of Torrey to adopt said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Torrey hereby adopts said Local Law No. 1 of 2022, entitled, "A local law to override the tax levy limit established in General Municipal Law §3-c", a copy of which is attached hereto and made

a part of this resolution, and be it further

RESOLVED, that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Torrey, and to give due notice of the adoption of said local law to the Secretary of State of New York.

Roll call vote: Martini - Aye Petersen - Aye Downs - Aye
Martin - Aye Henderson-Aye **Adopted 5 Ayes 0 Nays**

No further business before the board, Mr. Downs made a motion to adjourn 2nd Mr. Petersen carried at 8:45PM

Respectfully submitted,

DRAFT