

Minutes

Town of Persia Regular Board Meeting

8 West Main Street, Gowanda, NY 14070

October 8, 2015

Budget Workshop 6:00pm

Supervisor Paula Schueler calls meeting to order at 7:00PM.

*** Notice of public hearing was posted in the Observer on September 13th and also the Persia website was same posted at the Persia Town Hall.

*Everyone stands for the Pledge of Allegiance to the Flag

Roll Call:

Supervisor: Paula Schueler: present

Highway Superintendent: Daniel Ackley: present

Councilperson: John Walgus: present

Councilperson: Linda Boats: present

Councilperson: Gloria Tomaszewski: present

Councilperson: Robert Dingman: present

Town Clerk: Denise Trumpore: present

Others present:

Hon. Arnold Andolsek

Observer: Richard Westlund

Theresa Girome

Paul Bowers

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Official Reports of Department Heads:

Supervisor Paula Schueler: * I would like to open the floor for public comment on Local Law 2015-1. **OVER RIDE TAX LEVY FOR 2016**

A local law allowing the Town of Persia to adopt a budget for the 2016 fiscal year that would over-ride the tax levy as defined by General Municipal Law Section 3-c.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF PERSIA AS FOLLOWS:

Section 1. Legislative Intent

It is the intent of this local law to allow the Town of Persia to adopt a budget for the 2016 fiscal year that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law Section 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of the General Municipal Law Section 3-c, which expressly authorizes a local government's governing body to over-ride the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty (60%) percent of said governing body.

Section 3. Tax Levy Limit Override

The Persia Town Board is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2016 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the Court's order or judgment shall not effect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

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Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

- I have processed payroll. * I ask the bills for abstract #10 for General and Highway be approved by resolution.* I ask the Supervisors report for September be accepted by resolution. *I need a resolution to accept the financial report for September.* On September 16th I went with Denise to a luncheon sponsored by the Cattaraugus County Municipal Clerk's Association. Bob Freeman from the State gave a talk on FOIL requests and executive sessions. * On September 24th I was in the Spirit Parade, Bob was on the float as well as Paula Stockman and Dick Klancer. * I received a satisfactory report from Ag & Markets on Mary Dankert for her services and dog shelter. * There is a free program for Disability Education and Awareness for municipalities on November 10th, anyone interested will have to apply and I have the paperwork. * We will need a resolution for a public hearing on November 12th at 7:00pm for comment on the preliminary budget for 2016. * We will have to increase account A1355.4 – Assessors contractual from \$2,500 to \$3,500 and account A1330.4 – Tax Collection from 1,500 to \$2,500 *Hearing no objection, I would like to close the public hearing on Local Law 2015-1.
- **Highway Superintendent Daniel Ackley:** *Read highway bills. * The online auction to sell the loader has been extended to October 21st. we will need to have a special meeting on the 22nd of October to accept the highest bid from the auction.

Councilperson John Walgus: * Bob Dingman and myself have met twice since our last meeting with the BOA consultants C&S Engineers of Buffalo and the steering committee on the first phase of the Brownfield grant, there was a kick-off meeting last night at the Hollywood Theater. There will be 5 public forums about the progress and will be about 6-8 months before the consultants and the steering committee with the help of the public come to a conclusion on the best route to take. * The progress at Zoar Valley Gateway Park is moving forward. At this point most of the final grading and hydro seeding is done. Work on the creek bank, ball fields and tree plantings should be finished within the next two weeks. Palmer Street is planned to be milled and repaved with the park utilizing the millings. * I have handed

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out the salaries and hourly wages of area highway departments and would like to discuss if they are similar to Persia's highway department. * This month I learned as a member of the West Valley Citizens task force that the high level radioactive (HLRW) will soon begin it's journey from the main process building to a special concrete pad a few hundred years away via a vertical cask transporter unit where the vitrified HLRW was placed into stainless steel canisters packed into five unit concrete over pack structures and then placed into a storage cask. There will be a total of 275 casks holding 600,000 gallons of HLRW awaiting a permanent home.

Councilperson Linda Boats: * no report

Councilperson Gloria Tomaszewski: *no report

Councilperson Robert Dingman: * It is important for John and I to stay on course with the Brownfield grant and continue to move forward.

Assessor Mary Bailey: * Last month I attended an all-day class in Randolph, "Mixed Use Properties". Later this month I will be attending another all-day class, "Appraising Distressed Properties". These classes are hosted by the Assessor's Association for no fee. I will receive continuing education credit (each year NYS requires 12 credit hours) *Some recent sales: 2 Crestwood Drive - \$140,000, 9248 Broadway Road - \$209,000, 35 North Chapel Street - \$127,500, 9360 Broadway Road - \$140,000 and vacant land on Point Peter Road - \$238,590.

Town Clerk Denise Trumpore:

Total transactions for September: 142

Total Collected: \$ 6,205.00

Towns Portion: \$ 846.92

* I would like a resolution to accept the minutes from September 10th and the 25th.

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RESOLUTION #82 Audit of Claims

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Walgus

The following was

ADOPTED AYES – 5 Tomaszewski, Walgus, Boats, Dingman, Schueler

NAYS – 0

RESOLVED that the bills contained on abstract #10 for General and Highway have been reviewed by the Town Board and are authorized for payment in the following amounts:

Abstract 10 - General vouchers #184 to #204 Total = \$ 10,235.81

Abstract 10 - Highway vouchers #76 to #82 Total = \$ 15,407.73

RESOLUTION #83 Approval of Minutes

On a motion of Councilperson Walgus

Seconded by Councilperson Dingman

ADOPTED AYES – 5 Walgus, Dingman, Tomaszewski, Boats, Schueler

NAYS - 0

RESOLVED that the minutes from September 10, 2015 and September 25, 2015 are approved.

RESOLUTION #84 Supervisors report

On a motion of Councilperson Boats

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 5 Boats, Tomaszewski, Walgus, Dingman, Schueler

NAYS - 0

RESOLVED to accept the Supervisors report for September 2015

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RESOLUTION #85 Financial Report

On a motion of Councilperson Dingman

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 5 Dingman, Tomaszewski, Boats, Walgus, Schueler

NAYS - 0

RESOLVED to accept the financial report for September 2015.

RESOLUTION #86 Local Law 2015-1

On a motion of Councilperson Tomaszewski

Seconded by Councilperson Walgus

ADOPTED AYES – 5 Tomaszewski, Walgus, Boats, Dingman, Schueler

NAYS – 0

RESOLVED OVER RIDE TAX LEVY FOR 2016

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Section 1. Legislative Intent

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Section 2. Authority

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Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION # 87 to hold a public hearing on November 12th at 7:00pm for comment on the preliminary budget for 2016.

On a motion of Councilperson Walgus

Seconded by Councilperson Boats

ADOPTED AYES – 5 Walgus, Boats, Tomaszewski, Dingman, Schueler

NAYS – 0

RESOLVED to hold a public hearing on November 12th at 7:00pm for comment on the preliminary budget for 2016.

RESOLUTION #88 to increase account A1355.4 to \$3,500 and account A1330.4 to \$2,500.

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On a motion of Councilperson Boats

Seconded by Councilperson Tomaszewski

ADOPTED AYES – 5 Boats, Tomaszewski, Walgus, Dingman, Schueler

NAYS – 0

RESOLVED to increase account A1355.4 to \$3,500 and account A1330.4 to \$2,500.

RESOLUTION #89 to hold a meeting on October 22nd at 8:30am to approve the highest bidder for the loader.

On a motion of Councilperson Dingman

Seconded by Councilperson Boats

ADOPTED AYES – 5 Dingman, Boats, Tomaszewski, Walgus, Schuler

NAYS – 0

RESOLVED to hold a meeting on October 22nd at 8:30am to approve the highest bidder for the loader.

RESOLUTION #90 to have a budget workshop on November 12th at 6:00pm

On a motion of Councilperson Walgus

Seconded by Councilperson Boats

ADOPTED AYES – 5 Walgus, Boats, Tomaszewski, Dingman, Schueler

NAYS – 0

RESOLVED to have a budget workshop meeting on November 12th at 6:00pm.

With no further business, and hearing no objection

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the meeting adjourned at 7:46 pm

Respectfully submitted,

Denise Trumpore

Town Clerk