

F-0600-325

TOWN OF FRINDSHIP AGENDA

SEPTEMBER 20, 2023

6:30 PUBLIC HEARING-TAX CAP OVERRIDE

7PM Regular Meeting

Pledge of Allegiance.

At a regular meeting of the Town Board of the Town of Friendship, County of Allegany, State of New York, held at the Friendship G.A.R. Hall, located at 29 West Water Street, Friendship, New York, on September 20, 2023, at 6:30 P.M. there were

PRESENT: Russell Hall, Supervisor
Linda Mascho, Councilperson
Carolyn Carney, Councilperson
Steven Ritter, Councilperson

ABSENT: one vacancy (councilman)

ALSO PRESENT: Patricia Schurr, Town Clerk
David T. Pullen, Esq., Town Attorney.

Assemblage:

A public hearing was held before the Town Board at 6:30 P.M. to hear all persons interested in the matter of the adoption of the Introductory Local Law No. 1 of 2023 entitled "A Local Law to Override the Real Property Tax Cap Levy Established by General Municipal Law Section 3-c@ for the purpose of enabling the Town Board to adopt a budget for 2024 that exceeds the 2023 real property tax levy by more than 2.0%.

The Tax Cap Override Local Law is only necessary if there are insufficient resources available to the Town of Friendship to meet the budget for 2024. The Board members answered questions from those present for the public hearing. The Supervisor declared the public hearing to be closed.

Following the close of the public hearing the Town Board considered the adoption of the proposed local law for which the public hearing had earlier been held. The following resolution was offered by _____, who moved its adoption, and seconded by _____, to wit:

WHEREAS, the Town Board of the Town of Friendship, Allegany County, State of New York, has determined that the adoption of this local law is necessary for the purpose of enabling the Town Board to adopt a budget for 2024 that may exceed the 2023 real property tax levy by more than 2.0%; and

WHEREAS the Town Board of the Town of Friendship desires to adopt a budget for fiscal year 2024 that may require a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law Section 3-c;

NOW, THEREFORE, be it resolved that the Town of Friendship adopt Local Law No. 1 of 2023 entitled "A Local Law to Override the Real Property Tax Cap Levy Established by General Municipal Law Section 3-c@ which local law shall provide as follows:

**A LOCAL LAW TO OVERRIDE THE REAL PROPERTY TAX CAP LEVY
ESTABLISHED BY GENERAL MUNICIPAL LAW SECTION 3-c.**

Section 1. Legislative Intent.

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Friendship, pursuant to General Municipal Law Section 3-c, and to allow the Town of Friendship to adopt a budget for fiscal year 2024 that requires a tax levy increase in excess of the Atax levy limit@ as defined by General Municipal Law Section 3-c.

Section 2. Authority.

This local law is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override.

The Town Board of the Town of Friendship, County of Allegany, State of New York, is hereby authorized to adopt a budget for fiscal year 2024 that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law Section 3-c. This override is necessary to deal with the following increased costs:

- a. increased health insurance costs and other fringe benefit costs incurred pursuant to the Collective Bargaining Agreement that the Town is obligated to pay pursuant to the State Taylor Law;
- b. increased wages for Town employees pursuant to the Collective Bargaining Agreement that the Town is obligated to pay pursuant to the State Taylor Law;
- c. increased wages for non-union Town employees;
- d. to offset increased operating costs that impact critical and necessary operations of the Town of Friendship; and
- e. to cover a possible loss of taxable assessment within the Town of Friendship.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, 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.

Section 5. Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State pursuant to Section 27 of the Municipal Home Rule Law.

The Supervisor asked if there was any further discussion. There being no further discussion the Supervisor put the matter to a roll call vote which resulted as follows:

_____	voting _____
_____	voting _____
_____	voting _____
_____	voting _____

The Supervisor declared the Local Law to be duly adopted and directed the Town Clerk and Town Attorney to file the local law with the Department of State as quickly as possible.

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Supervisor Hall opens up the Regular Meeting.

Pledge of allegiance.

Roll call: Supervisor Russell Hall-
Councilperson- Carolyn Carney-
Councilperson-Linda Mascho-
Councilperson Steve Ritter-

Also Present: Patricia Schurr, Town Clerk

Assemblage:

Motion to approve the Minutes from August 16, 2023, offered by _____, seconded by _____.

Motion to approve the Supervisor's report for August 2023, offered by _____, seconded by _____.

Motion to approve the audited bills in the amount of \$129,662.37, offered by _____ seconded by _____.

SUPERVISOR'S CONCERNS-

#1-Hwy- Whittiker Rd.

#2 Discussion on 2nd Justice-

#3 UPDATES ? 9 OR 10 Elmwood Ave and Main Street sidewalks/foundation updates?

PUBLIC CONCERNS-

RESOLUTION 15 OF 2023 - Justice Audit Acknowledgement

Be it hereby resolved, that the Town Board acknowledges that they have received the annual 2022 Justice Audit reports completed by the Town's Accounting firm EFPR Solution,

and that it was determined that the procedures followed by the Justice Courts are consistent with general recordkeeping requirements for Town Justice Courts issued by the Office of State Comptroller. Offered by_____, seconded by_____.

Roll call: Russell Hall-

Carolyn Carney-

Linda Mascho-

Steve Ritter-

RESOLUTION 16 of 2023 Community Hall Rental agreement

Be it hereby resolved to changed the Rental fee for the Community Hall(GAR Hall) at Island Park From \$50.00 rent fee to \$75.00 rent fee with a \$25.00 deposit(total \$100.00). No fee for Senior Citizens meeting(2x/month)or Meals on wheels. Rate to begin_____. Motion offered by_____, seconded by_____.

Roll call: Carolyn Carney-

Linda Mascho-

Steve Ritter-

Russell Hall-

Motion to set Halloween trick- or- treat hours date Tuesday, October 31, 2023 (past hours 5-7pm)

From hours_____ - _____pm., offered by_____, seconded by_____.

PUBLIC WORKS CONCERNS:

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REPORTS RECEIVED:

TOWN CLERK REPORT FOR AUGUST

HIGHWAY REPORT

POLICE REPORT

Water Report

Dog Control report

Justice report

Motion to go into executive session to discussed personnel offered by_____, seconded by_____.

Motion to go out of executive session back into regular session offered by_____, seconded by_____.

Motion to adjourn offered by_____, seconded by_____.