

Town of Friendship Meeting Minutes

August 21, 2024

6:45 Public Hearing/7:00 Regular Meeting

Supervisor Hall calls Public Hearing to order.

Pledge of Allegiance observed by All.

Roll call: Supervisor Russell Hall-present  
Councilman-Carolyn Carney-present  
Councilman-Linda Mascho-present  
Councilman: Kenneth Burdick-present  
Councilman: Steve Ritter-present  
Also present: Patricia Schurr- Town Clerk-present  
Attorney: David Pullen

Assemblage-Trevor Hallenbach, Oakley Sortore, Fred Cook, Dave Norton, Pearl Harris, George Ritter, Jim Monheim, Leslie Dahill, Oakley Sortore.

A public hearing is being held before the Town Board at 6:45 P.M. to hear all persons interested in the matter of the adoption of the Introductory Local Law No. 1 of 2024 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 2025 that exceeds the 2024 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 2025. The Board members answered questions from those present for the public hearing.

Motion to close the Public Hearing by Steve Ritter, seconded by Carolyn Carney.

**The Supervisor declared the public hearing to be closed.**

**Supervisor Hall calls Regular Meeting to order.**

Pledge of allegiance observed by all.

Roll call: Russell Hall-present  
Carolyn Carney-present  
Linda Mascho-present  
Steve Ritter-present  
Kenneth Burdick-present  
Assemblage same as in Public hearing.

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 Steve Ritter , and seconded by Kenneth Burdick, 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 2025 that may exceed the 2024 real property tax levy by more than 2.0%.

WHEREAS the Town Board of the Town of Friendship desires to adopt a budget for fiscal year 2025 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 2024 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 2025 that requires a tax levy increase August 21,

**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 2025 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 wages for Town employees pursuant to the Collective Bargaining Agreement that the Town is obligated to pay pursuant to the State Taylor Law;
- b. increased wages for non-union Town employees;
- c. to offset increased operating costs that impact critical and necessary operations of 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, 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

Carolyn Carney- aye  
Linda Mascho- aye  
Steve Ritter-aye  
Kenneth Burdick- aye  
Russell Hall- aye

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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Motion to approve the Minutes from July 19, 2024, offered by Linda Mascho, seconded by Carolyn Carney. All approved.

Motion to approve the Supervisor's Report for July 2024 offered by Linda Mascho, seconded by Steve Ritter. All approved.

Motion to approve the Audited Bills for the month of July 2024 in the amount of \$ 352,114.95, offered by Steve Ritter, seconded by Carolyn Carney. Roll call: Carolyn Carney-aye, Linda Mascho-aye, Steve Ritter-aye, Kenneth Burdick-aye, Russell-aye.

**SUPERVISOR'S CONCERNS-**

**Update on ambulance-** Still at a standstill, need a squad and someone to do the bookwork. Supervisor Hall advises that the State will make it so you will have to be a paramedic to be on the ambulance squad. He also stated that the County will be operating the ambulance dept. probably in about 12 months. Supervisor Hall states that the State can come down and talk to him about options. He has been delaying because he thinks the Town will have to make a decision. After discussion with the Board members the following motion was brought forth:

**Motion to approve** for the Town Supervisor, Russell Hall to meet with Don with the State Dept. of Health to see what options the Town has regarding the Ambulance squad, offered by Steve Ritter, seconded by Carolyn Carney. All approve.

**Motion to remove bill #0981, in the amount of \$152.79 owned by Alle.Co. Land Bank.**

**Offered by Steve Ritter, seconded by Carolyn Carney.**

**Roll call:** Carolyn Carney-aye  
Linda Mascho-aye  
Steve Ritter-aye  
Kenneth Burdick-aye  
Russell Hall-aye

**Public Concerns:** Les Dahill-Thanked they Highway Dept. for the work on Depot St. and North Branch; Also a thanks to Oakley Sortore for worked he completed.

**Motion to approve** the mid year transfers as attached, offered by Steve Ritter, seconded by Carolyn Carney. Roll call: Carolyn Carney-aye, Linda Mascho-aye, Steve Ritter-aye, Ken Burdick-aye, Russell Hall-aye.

**RESOLUTION 14-2024** to Relevy the Sewer and Water as well as unpaid broken water meters onto the 2025 Tax Roll for the Town of Friendship.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Friendship, Allegany County, New York, will relevy all delinquent water and sewer rental fees/bills as well as unpaid outstanding bills for broken water meters on the Real Property taxes, no later than November 1, 2024. Offered by Linda Mascho, seconded by Steve Ritter.

Roll call:

Russell Hall-aye

Carolyn Carney-aye

Linda Mascho-aye

Steve Ritter-aye

Kenneth Burdick-aye

**Proposed Local Law #2 of 2024 entitled” A Local Law to Provide for the Licensing, Identification and Control of Dogs in the Town of Friendship”**

A draft of proposed Local Law No. 2 of 2024 entitled the "A Local Law to Provide for the Licensing, Identification and Control of Dogs in the Town of Friendship, to Restrain the Running at Large of Dogs Within said Town, to Provide For the Seizure and Impounding of Certain Dogs, to Limit the Number of Dogs that May be Kept, to Provide Punishments for the Violation of This Local Law, and Related Provisions” was presented by the Town Supervisor, Russell Hall. Town Attorney David T. Pullen., had prepared the draft local law at the request of the Town Supervisor. It was explained that this local law updates the Town of Friendship’s Dog Control Local Law to reflect proposed changes discussed at recent meetings of the Town Board. The following resolution was introduced by Steve Ritter who moved its adoption, and seconded by Carolyn Carney, to wit:

BE IT RESOLVED AS FOLLOWS:

1. That the Town Board of the Town of Friendship accepts and proposes to adopt a local law to be designated as Introductory Local Law No. 2 of 2024 entitled the "A Local Law to Provide for the Licensing, Identification and Control of Dogs in the Town of Friendship, to Restrain the Running at Large of Dogs Within said Town, to Provide For the Seizure and Impounding of Certain Dogs, to Limit the Number of Dogs that May be Kept, to Provide Punishments for the Violation of This Local Law, and Related Provisions”
2. That a public hearing be held on September 18th, 2024, at 6:00 P.M. at the Friendship G.A.R. Hall located at 29 West Water Street, Friendship, New York.
3. That the Town Clerk, with the assistance of the Town Attorney, is directed to prepare the legal notice required to be published and to provide such notice for timely publication in the official newspaper.
4. That a copy of such legal notice be posted upon the Town Clerk's bulletin board and Town website as required by law.

Following discussion, the foregoing resolution was called to a vote which resulted as follows:

Linda Mascho: aye

Carolyn Carney: aye

Steve Ritter: aye

Kenneth Burdick: aye

Russell Hall: aye

The Supervisor then declared the resolution to be adopted and directed the Clerk to proceed to contact the Town Attorney if necessary and to complete the publishing and posting as required by law.

**Motion to approve** a late pool sewer credit on account t#2020 for a full pool fill, 18 Linwood Ave., 11,367 gallons credit in the amount of \$81.84(sewer o/m), offered by Linda Mascho, seconded by Kenneth Burdick.

Roll call: Linda Mascho: aye

Carolyn Carney: aye

Steve Ritter: aye

Kenneth Burdick: aye

Russell Hall: aye

**Public works/water/sewer Concerns:**

Motion to accept and authorize Supervisor Hall to sign the agreement with Rcap(Catherine Reese). Signed agreement to be given to Oakley Sortore to return it to Catherine Reese, offered by Linda Mascho, seconded by Steve Ritter. All approve.(RCAP stands for Rural Community Assistance Program)

Will have to re-submit SEQR, preparing for RFQ(EPA to review before hand) will put in the contract reporter. Will have to do another RFQ to select an Engineer firm, we have been through this before but now there is scoring sheets. May have to go into the paper. ( RFQ stands for “request for qualifications”).

Oakley Sortore stated the August 19<sup>th</sup> meeting with the Legislators wanted to thank Councilman Kenneth Burdick and Saputo on the work on the beautification of Island Park.

\*Still working on finding a used vehicle for the water/sewer dept.

\*Still working on the Union contract.

**Highway Dept.-Concerns: none**

**REPORTS RECEIVED:**

Town Clerk Report for July 2024

Highway Report for July 2024

Water Report

Police Report

Councilman Steve Ritter questioned whether anything further was going to be done with the Refuse Local law, that he was put in charge of. It was discussed with Oakley and the board that There was nothing really to change, the idea they could shorten the Local Law ended up making it longer. It was suggested maybe an abbreviated summary on the Local Refuse Law for the residents.

**Motion to adjourn offered by Linda Mascho, seconded by Steve Ritter.**

**8:00pm**

**Respectfully submitted,  
Patricia Schurr, Town Clerk**