

Board of Trustees Meeting Minutes

08/05/2019 6:00 PM

The regular meeting of the Board of Trustees was called to order at 6:00 pm with a salute to the flag led by Mayor G. Pearl.

Present: Mayor: G. Pearl; Trustees: K. Granger, R. Barton, D. Papasergi, J. Cummins, Clerk Treasurer- K. Roth, DPW Superintendent- F. Snyder, Dick Anderson

RESOLUTION #2019-082-ACCEPT MINUTES

On motion made by Trustee K. Granger, second by Trustee D. Papasergi resolved to approve the minutes from July 15 and July 29, 2019. Aye-all, Nay-none

RESOLUTION #2019-083-APPROVE PAYMENT OF CURRENT BILLS

On motion made by Trustee D. Papasergi, second by Trustee J. Cummins resolved to approve the payment of current bills. Aye-all, Nay-none

A presentation was made from Jason Opferbeck from Total Mapping. He explained a software program that will be used in the Public Works Department. The program will be used to keep up to date records of manholes, hydrants, water and sewer lines. The program can be used for work orders as well.

PUBLIC SESSION

Resident Dick Anderson addressed the board stating how pleased he is with his move to the Village of Allegany.

DPW REPORT

DPW Superintendent F. Snyder presented the monthly report for June 2019.

OLD BUSINESS

Another meeting is scheduled September 5, 2019 at 6:00pm to discuss Main Street sidewalks.

NEW BUSINESS

Local Law 1-2019 – Granting Partial exemption on Real Property Tax to Senior Citizens. This was approved by resolution in prior years but needs to be a local law. A public hearing on this local law will be September 9, 2019 at 5:50pm.

The proposed law is as follows:

VILLAGE OF ALLEGANY

Local Law No.1 of 2019

“A Local Law of the Village of Allegany Providing a Partial Exemption from Taxation to Persons 65 Years of Age or Older Pursuant to Section 467 of the Real Property Tax Law”

A Local Law granting partial exemption from real property taxation for real property owned by certain persons with limited income who are 65 years of age or over.

Be enacted by the Village Board of the Village of Allegany, as follows:

SECTION 1. Title. The title of this law shall be “A Local Law of the Village of Allegany Providing a Partial Exemption from Taxation to Persons 65 Years of Age or Older Pursuant to Section 467 of the Real Property Tax Law.”

SECTION 2. Legislative Intent. It is the intent of this legislation to continue to provide a real property tax exemption to certain senior citizens in accordance with Section 467 of the Real Property Tax Law and to distribute the exemption in a more equitable manner. It is the intent of this legislation to add Option #2 to the current senior citizen exemption.

SECTION 3. Senior Citizen Real Property Tax Exemption. Effective January 1, 2017, the Village of Allegany shall grant a real property tax exemption to certain individuals sixty-five (65) years of age or over, in accordance with Section 467(1)(b) of the Real Property Tax Law.

SECTION 4. Maximum Income Eligibility Level. Effective January 1, 2017, the maximum income eligibility level as described in Section 467 of the Real Property Tax Law is hereby established as follows:

\$18,500 or less	=	50% of assessed value exempt
\$18,501 but less than \$19,500	=	45% of assessed value exempt
\$19,501 but less than \$20,500	=	40% of assessed value exempt
\$20,501 but less than \$21,500	=	35% of assessed value exempt
\$21,501 but less than \$22,400	=	30% of assessed value exempt
\$22,401 but less than \$23,300	=	25% of assessed value exempt
\$23,301 but less than \$24,200	=	20% of assessed value exempt

Option 2:

\$24,201 but less than \$25,100	=	15% of assessed value exempt
\$25,101 but less than \$26,000	=	10% of assessed value exempt

SECTION 5. Real Property Tax Law. All other provision of Section 467 of the Real Property Tax Law of the State of New York shall be in effect for the purposes of Village real property taxation in the Village of Allegany.

SECTION 6. Repeal of Local Law 1-1975. Local Law Number 1-1975 entitled “Partial Tax Exemption for Over 65”, as amended, is hereby repealed, effective January 1, 2017.

SECTION 7. Severability. If any provision of this Local law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 8. Effective Date. This Local Law shall take effect immediately.

Local Law 2-2019-Conversion Moratorium. A public hearing on this local law will be September 9, 2019 at 5:50pm.

The proposed law is as follows:

VILLAGE OF ALLEGANY

Local Law No. 2 of the year 2019

A Local Law Imposing a Six-Month Moratorium on the Conversion of One-Family Dwellings in the Village of Allegany

A Local Law imposing a temporary moratorium on the issuance of any and all necessary permits, licenses or other official documents necessary or required by the Village of Allegany for the conversion of existing one-family dwellings to two-family and/or multi-family dwellings.

Section 1. Title:

This law shall be known as A Local Law Imposing a Six-Month Moratorium on the Conversion of One-Family Dwellings in the Village of Allegany.

Section 2. Legislative Intent:

The Village Board of Trustees is continuing to take steps to study and analyze the existing land use, population trends, and fiscal, institutional, human and environmental resources of the Village of Allegany in an effort to determine the sufficiency of the existing zoning ordinance and the possible need for revision of the said zoning ordinance. Until the aforesaid study and planning process is completed, the Village Board finds it necessary to impose a moratorium on the grant of approval, or the issuance of necessary permits, licenses or variances and/or other official Village of Allegany documents converting existing one-family dwellings to two-family dwellings or converting existing one-family dwellings to multi-family dwellings within the entire Village of Allegany. This action is necessary in order to protect the natural resources, public services and facilities of the Village of Allegany and the public health, safety and welfare of the residents of the Village.

Section 3. Applications:

This law shall apply to all areas within the Village of Allegany.

Section 4. Scope of Moratorium:

The moratorium shall be in place for a period of SIX months beginning September 9, 2019 and ending on March 9, 2020. During the moratorium the Planning Board, the Building and/or Zoning Inspector, the Village Clerk and the Village of Allegany Zoning Board of Appeals are hereby prohibited from granting any permit, license or variance necessary to convert existing one-family dwellings in the Village of Allegany to two-family dwellings or converting existing one-family within the Village of Allegany to multi-family dwellings. Any and all permits, licenses or variances granted prior to the effective date of this local law will not be affected by this temporary moratorium which is the subject of this local law.

Section 5. Conflict with Other Laws:

This Local Law is enacted pursuant to the provisions of the Village Law and Municipal Home Rule Law of the State of New York and specifically supersedes any existing Village of Allegany local law, ordinance or Municipal Code and those sections of the Village Law and the Municipal Home Rule Law of the State of New York that may be in conflict with this Local Law No. 2 of 2019.

This Local Law is enacted pursuant to the provisions of the Village Law and the Municipal Home Rule Law of the State of New York and specifically supersedes any existing Village of Allegany local law, ordinance or Municipal Code and those sections of the Village Law and Municipal Home Rule Law of the State of New York that may be in conflict with this Local Law No. 2 of 2019.

Section 6. Effective Date:

This Local Law shall take effect immediately and shall remain in force and effect for a period of SIX months from September 9, 2019.

RESOLUTION #2019-084-INTENT TO APPLY FOR USDA-RD WATER & WASTEWATER DISPOSAL PREDEVELOPMENT PLANNING GRANT

On motion made by Trustee J. Cummins, second by Trustee K. Granger, the following resolution was adopted by the Village of Allegany:

Whereas, the Village of Allegany intends to file an application for funding consideration with the USDA, Rural Development.

Whereas, the Water & Waste Disposal Predevelopment Planning Grant will be used to pay for the completion of a study on the existing Village of Allegany Water System, which serves approximately 2,000 people through 800 service connections within the Village limits. The study will include an engineering assessment of the water storage tank, distribution system hydraulic analysis, and ground water well evaluation. The study will then identify any improvements that are required along with priority ranking and cost estimates.

Whereas, the total project cost is \$25,000, with \$18,750 to be paid for through the Water & Waste Disposal Predevelopment Planning Grant program. The remaining \$6,250 will be paid for through the Village of Allegany water budget.

Now Therefore Be It Resolved, that the Village Board authorizes the submission of a Water & Waste Disposal Predevelopment Planning Grant, and the acceptance and disbursement of the grant funds should the Village be awarded the grant. The Village Board also authorizes the Mayor to execute the grant application and any award documentation. Aye-all, Nay-none August 5, 2019

RESOLUTION #2019-85-BOARD OF TRUSTEES MEETING CHANGE FOR SEPTEMBER 2019

On motion made by Trustee J. Cummins, second by Trustee D. Papasergi resolved to approve the Board of Trustees meeting to be scheduled for September 9th at 6:00pm due to the Labor Day holiday. Aye-all, Nay-none

A sexual harassment training will be scheduled September 18, 2019. Times to be announced.

A letter will be mailed to planning and zoning board members regarding mandatory training.

RESOLUTION #2019-086-ADJOURN MEETING

On motion made by Trustee R. Barton, second by Trustee J. Cummins resolved to approve the adjournment of the meeting at 6:45pm. Aye-all, Nay-none

Respectfully submitted.

Kimberly Roth/Clerk Treasurer