

Town of Milo
Regular Meeting
February 16, 2016

Members Present: Leslie Church, Supervisor
Dale Hallings, Councilperson
James Harris, Councilperson
Arden Sorensen, Councilperson

Excused: Gene Spanneut, Councilperson

Others Present: Patricia L. Christensen, Town Clerk

Supervisor Church opened the meeting with the pledge of allegiance at 7:00 PM at the Town of Milo Hall, 137 Main Street, Penn Yan, NY.

Supervisor Church opened the Public Hearing at 7:05 pm. for the proposed Local Law to providing for an increase in tax exemption for persons 65 years of age or over.

No public concerns were brought before the board.

Supervisor Church closed the public hearing at 7:05 PM

Public Comment

Bill Laffin reported he attended the Village of Penn Yan board meeting and inquired if an area located in vicinity of Willow Road would be available for residence of Town Milo for lawn debris and composting. Mr. Laffin was advised probably not.

Introduced by: Councilperson Hallings
Seconded by: Councilperson Harris

That the minutes of January 19, 2016 regular meeting be approved as written.

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen
Noes: none

Introduced by: Councilperson Harris

Seconded by: Councilperson Sorensen

That the minutes of January 23, 2016 special meeting be approved as written.

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen

Noes: none

Committee Reports

Highway-Chairperson Hallings – repairs on equipment have been done, some snow plowing
Personnel-Chairperson Spanneut – Councilperson Harris reported there will be a change in cleaning personnel for the Town Hall. Deputy Clerk Trista Dombroski will be doing the cleaning at the same rate of \$60.00 per cleaning.

Zoning-Chairperson Spanneut – Councilperson Hallings reported the regular meeting was held on February 10th. The draft subdivision law was discussed and taken home for review to discuss at the March meeting.

Building and Grounds – Chairperson Harris- the roof leak at the Town Hall was repaired under warranty.

Assessor-Chairperson Sorensen- tax exemptions are due March 1st.

Water & Sewer-Councilperson Harris- regular meeting was held on February 10th. The fire hydrant at 138 Rte. 54 East Lake Rd. will be repaired the week of February 16th. Water-Sewer Operator Marchionda was authorized to purchase 6 grinder pumps for an inventory of 20 pumps new and repaired. Report on file.

Agricultural-Chairperson Hallings- annual meeting scheduled for March 7th at 7:00 pm.

Insurance- Chairperson Hallings- none

KWIC- Supervisor Church provided an email addressing “Zone 1, or the critical water protection zone” shall include the land with onsite wastewater systems within 200 feet of a lake and watercourse.” A general discussion was held.

Board Action

**RESOLUTION TO ENACT LOCAL LAW
IN REGARD TO PROVIDING FOR AN INCREASE IN TAX EXEMPTION
FOR PERSONS 65 YEARS OF AGE OR OVER
TOWN BOARD
TOWN OF MILO
RESOLUTION #16-16 _____**

Mr. Dale Hallings offered the following Resolution and moved its adoption:

WHEREAS, a proposed local law to increase the annual income levels regarding the real property tax exemptions for real property owners, pursuant to Section 467(b)(1), (b)(2), and (b)(3) of the New York State Real Property Tax Law, in the Town of Milo who are 65 years of age or over, has been presented to the Town Board of the Town of Milo for enactment, and

WHEREAS, a Resolution was duly adopted on January 19, 2016 by the Town Board of the Town of Milo calling for a public hearing to be held by said town board on February 16, 2016, at 7:00 p.m. at the Milo Town Office, 137 Main Street, Penn Yan, New York, to hear all

interested parties on a proposed Local Law to increase the annual income levels regarding the real property tax exemptions for real property owners, pursuant to Section 467(b)(1), (b)(2), and (b)(3) of the New York State Real Property Tax Law, in the Town of Milo who are 65 years of age or older has been presented to the Town Board of the Town of Milo for enactment, and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Milo, 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 16, 2016 at 7:00 p.m. at the Town of Milo Office, 137 Main Street, Penn Yan, 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, Town Board of the Town of Milo, after due deliberation, determines it in the best interests of the Town of Milo to adopt said Local Law,

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Milo, Yates County, New York that said Local Law to increase the annual income levels regarding the real property tax exemptions for real property owners, pursuant to Section 467(b)(1), (b)(2), and (b)(3) of the New York State Real Property Tax Law, in the Town of Milo who are 65 years of age or over, in the Town of Milo is hereby approved, and it is 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 Milo, and to give due notice of the adoption of said Local Law to the Secretary of the State of New York.

Seconded by James Harris and duly put to a vote as follows:

AYES: Church, Hallings, Harris, Sorensen

NOES: none

ABSTENTIONS: none

This Resolution and Order was thereupon adopted.

DATED: February 16, 2016

Patricia L. Christensen
Patricia L. Christensen
Town of Milo Clerk
Town of Milo

S E A L

Milo 2016
RPTL 467
26a res adopt loc law (no SEQR)

1Schedule "A"

Section 1. PURPOSE:

The purpose of this Local Law is to increase the annual income levels regarding the real property tax exemptions for real property owners, pursuant to Section 467(b)(1), (b)(2), and (b)(3) of the New York State Real Property Tax Law, in the Town of Milo who are 65 years of age or over.

Section 2. LIMITATIONS ON EXEMPTION:

The income of the owner or the combined income of the owners for the income tax year immediately preceding the date of making Application for exemption must fall within the following scale:

Valuation	Percentage Assessed
<u>Annual Income</u>	<u>Exempt From Taxation</u>
\$0 to \$14,000.00	50%
\$14,000.01 to \$14,999.99	45%
\$15,000.00 to \$15,999.99	40%
\$16,000.00 to \$16,999.99	35%
\$17,000.00 to \$17,899.99	30%

\$17,900.00	to	\$18,799.99	25%
\$18,800.00	to	\$19,699.99	20%
\$19,700.00	to	\$20,599.99	15%
\$20,600.00	to	\$21,499.99	10%
\$21,500.00	to	\$22,399.99	5%
\$22,400.00		or more	0%

This increase shall be effective with the 2016 assessment roll.

Section 3. INCOME TAX YEAR:

Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, net rental income, salary or earnings and net income from self-employment, but shall not include gifts or inheritances.

Section 4. AMENDS:

This Local Law amends the annual income levels as set forth in Town of Milo Local Law #4 of the year 2008.

Section 5. SEVERABILITY:

If any clause, sentence, paragraph, section or a part of this law shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder, but shall be confined in its operation to the clause, sentence, paragraph, section or a part directly involved in a controversy in which such judgment shall have been rendered.

Section 6. EFFECTIVE DATE:

This law shall be operative immediately and effective upon being filed with the New York State Secretary of State pursuant to Section 27 of the Municipal Home Rule Law of the State of New York.

Sch A RPTL §467(b)(1),(b)(2),(b)(3)

**Resolution 17-16
Designation of Water Operator**

Introduced by: Councilperson Harris
Seconded by: Councilperson Sorensen

WHEREAS, Jeffrey Finger has been certified by the Department of Health as a Water Operator, and

WHEREAS, the Department of Health recommends to designate a second Operator in Responsible Charge,

NOW THEREFORE BE IT RESOLVED, Jeffrey Finger is designated Water Operator in Responsible Charge, and it is further

RESOLVED, that Supervisor Church is authorized to sign Department of Health's Designation of Water Operator in Responsible Charge

Duly put to a vote as follows:

AYES: Church Hallings, Harris, Sorensen

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

Dated February 16, 2015

Patricia L. Christensen
Town Clerk
Town of Milo

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen

Noes: none

New Business

Discussion was held pertaining to the purchase of a television, laptop and cart for presentations at meetings. The consensus of the board is to pursue the purchase at a cost of approximately \$1,600-\$2,000.

Outstanding Business

Supervisor Church contacted Yates County Soil and Water District Manager, Jim Balyszak regarding woodlot management on Town of Milo property. Mr. Balyszak's recommendations were provide to the board. Councilperson Sorensen visited said property. On the recommendation of Mr. Balyszak and Councilperson Sorensen the Town Board will not proceed with the proposed consultation received from Wagner Hardwoods, Forester Tyler Jensen.

Supervisor Church will be scheduling a special meeting to review the 2015 annual audit report with Accountant Robert Fox.

Monthly Reports-reviewed

Introduced by: Councilperson Harris
Seconded by: Councilperson Sorensen

To pay abstracts as presented in the following amounts:

General A:	\$	75,418.34
General B:	\$	5,488.40
Highway DA:	\$	9,963.60
Highway DB:	\$	5,778.03
SS-Sewer	\$	237,391.94
SW-Water	\$	58,580.75
TA-Trust & Agency	\$	924.07
Fire Protection SF:	\$	141,153.00

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen

Noes: None

Abstentions: none

Public Comment

Bill Laffin spoke of invasive species in lakes and ponds.

Introduced by: Supervisor Church
Seconded by: Councilperson Hallings

To enter into executive session to discuss the employment history of a particular person and to include, Town Clerk Patricia Christensen.

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen

Noes: None

Abstentions: none

The board entered into executive session at 7:45PM.

Introduced by: Councilperson Harris
Seconded by: Councilperson Hallings

To reconvene to regular session.

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen

Noes: None

Abstentions: none

The board reconvened at 8:15 PM.

There being no further business to come before the Town Board of the Town of Milo, a **Motion** was made by Councilperson Sorensen to adjourn, seconded by Councilperson Harris.

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen

Noes: none

Abstentions: none

Meeting adjourned at 8:15 PM.

Respectfully submitted,

Patricia L. Christensen
Town Clerk