

Town of Milo  
Special Meeting  
November 4, 2015

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

Others Present: Patricia L. Christensen, Town Clerk  
Robert Fox, CPA EFP Group  
Tina DeNigro, Senior Associate EFP Group  
Lewis Martin

Supervisor Church opened the meeting with the pledge of allegiance at 6:00 PM at the Town of Milo Hall, 137 Main Street, Penn Yan, NY.

Supervisor Church opened the public hearing at 6:00 PM for the 2016 Fire Protection Contract with the Himrod Fire Department.

All persons desiring to be heard, having been heard, the Hearing was closed at 6:02 PM.

Supervisor Church opened the public hearing at 6:05 PM for the 2016 Fire Protection Contract with the Penn Yan Fire Department.

All persons desiring to be heard, having been heard, the Hearing was closed at 6:10 PM.

Supervisor Church opened the public hearing at 6:10 PM for the 2016 assessment roll for the special districts.

All persons desiring to be heard, having been heard, the Hearing was closed at 6:12 PM.

Supervisor Church opened the public hearing at 6:15 PM. for the proposed 2016 Town Budget.

Robert Fox and Tina DeNigro presented the proposed 2016 Town Budget.

A general discussion was held pertaining to the 2% Tax Cap tax levy limit. Discussions involved creating reserve funds in all funds, public education awareness and a five year plan.

All persons desiring to be heard, having been heard, the Hearing was closed at 7:05 PM.

Supervisor Church opened the public hearing at 7:05 PM for the proposed Local Law in regard to overriding the tax levy limit.

A general discussion was held considering the pros and cons of overriding the tax levy limit.

All persons desiring to be heard, having been heard, the Hearing was closed at 7:10 PM.

**Board Action**

RESOLUTION # 61-15

Mr. James Harris, offered the following Resolution and moved its adoption:

WHEREAS, this Board having, on November 4, 2015, commencing at 6:00 p.m., duly held a public hearing on the proposed annual assessment roll for the Town of Milo Water Districts, Himrod Water Districts, Sewer Districts No. 1-2, said roll being duly filed with the Town Clerk, said public hearing having been held at the Town of Milo Office, 137 Main Street, Penn Yan, New York, and having heard all person desiring to be heard in the matter and said assessment roll having been fully discussed and considered by the Town Board acting on the behalf of said Districts,

NOW, THEREFORE BE IT RESOLVED, that the assessment roll as prepared is hereby adopted, affirmed and established as the final assessment roll for the year beginning January 1, 2016, and be it further

RESOLVED, that said assessment roll be and the same hereby is filed in the Office of the Town Clerk and the Supervisor be and hereby is directed to transmit a copy of said assessment roll to the Yates County Legislature to be levied and assessed upon the lots and parcels of lands listed in said assessment roll at the time and in the manner provided by law for the levy of Country and Town taxes.

Seconded by Mr. Dale Hallings, and duly put to a vote as follows:

AYES: Church, Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

DATED: November 4, 2015

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

SEAL

**Resolution 62-15**  
**Water and Sewer Relevy**

Introduced by: Councilperson Spanneut  
Seconded by: Councilperson Harris

IT IS HEREBY RESOLVED, that the Town of Milo shall have unpaid 2015 utilities collected by the County of Yates, in accordance with the Town of Milo Local Law 1-2002 Section 136-21, and

FURTHER BE IT RESOLVED, that the Town Clerk file a certified copy of this resolution with the Clerk of Yates County Legislature and the Yates County Treasurer no later than November 15, 2015, and transmit to them the unpaid utility information as required by law.

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

Noes: none

This Resolution was thereupon adopted.

Dated: November 4, 2015

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

S E A L

**RESOLUTION #63 - 15\_\_**

RESOLUTION TO ENACT LOCAL LAW  
REGARDING OVERRIDING THE TAX LEVY LIMIT  
UNDER GENERAL MUNICIPAL LAW §3-c

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

WHEREAS, a proposed Local Law in regard to overriding the tax levy limit

established in General Municipal Law §3-c has been presented to the Town Board of the Town of Milo for enactment, and

WHEREAS, a Resolution was duly adopted, on October 13, 2015, by the Town Board of the Town of Milo for a public hearing to be held by said Town Board on November 4, 2015 at 6:30 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 override the tax levy limit established in General Municipal Law §3-c, and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Milo, on October 28, 2015 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 November 4, 2015 at 6:30 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, this Resolution is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a Resolution approved by vote of sixty percent (60%) of the Town Board, and

WHEREAS, Town Board of the Town of Milo, after due deliberation, finds it in the best interests of the Town of Milo to adopt said Local Law,

NOW, THEREFORE BE IT

RESOLVED & ORDERED, by the Town Board of the Town of Milo, Yates County, New York that said Local Law in regard to overriding the tax levy limit established in General Municipal Law §3-c is hereby approved, and it is further

RESOLVED & ORDERED, that the Town Board of the Town of Milo, County of Yates is

hereby authorized to adopt a budget for the fiscal year 2016 on behalf of Town of Milo that requires a real property tax levy in excess of the amount otherwise proscribed in General Municipal Law, §3-c, and it is further

RESOLVED & ORDERED, 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 Gene Spanneut and duly put to a vote as follows:

AYES: Church, Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution and Order was thereupon adopted.

DATED: November 4, 2015

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

S E A L

Muni Milo fld/Milo LL 2015 (tax cap)/26a res adopt loc law (Milo)

**Resolution 64-15**  
**Himrod Fire Protection Contract**

Introduced by: Councilperson Hallings

Seconded by: Councilperson Harris

WHEREAS, the 2015 Fire Protection Agreement with the Himrod Fire Department, Inc. expires on December 31, 2015, and

WHEREAS, the public hearing for the 2016 Fire Protection agreement was held on November 4, 2015,

NOW, THEREFORE BE IT RESOLVED, that Supervisor Church is authorized to sign the 2016 Fire Protection Agreement with the Himrod Fire Department, Inc. for the amount of \$85,250.00.

Duly put to a vote as follows:

AYES: Church, Hallings, Harris, Spanneut

NOES: none

ABSTENTIONS: Sorensen

This Resolution was thereupon adopted.

Dated: November 4, 2015

Patricia L. Christensen  
Town Clerk  
Town of Milo

**Resolution 65-15  
Penn Yan Fire Contract**

Introduced by: Councilperson Sorensen

Seconded by: Councilperson Harris

WHEREAS, the 2015 Fire Protection Agreement with the Village of Penn Yan expires on December 31, 2015, and

WHEREAS, the public hearing for the 2016 Fire Protection agreement was held on November 4, 2015,

NOW, THEREFORE BE IT RESOLVED, that Supervisor Church is authorized to sign the 2016 Fire Protection Agreement with the Village of Penn Yan for \$141,153.00.

Duly put to a vote as follows:

AYES: Church, Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

Dated: November 4, 2015

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

**Resolution 66-15  
2016 Budget**

Introduced by: Councilperson Spanneut  
Seconded by: Councilperson Harris

WHEREAS, the proposed 2016 Town of Milo Budget has been prepared and reviewed by the Town Board of the Town of Milo, and

WHEREAS, the public hearing for the proposed Town of Milo Budget was held on November 4, 2015,

NOW, THEREFORE BE IT RESOLVED, that the 2016 proposed Town of Milo Budget is hereby adopted, and

FURTHER BE IT RESOLVED, that the Town Clerk be hereby directed to transmit a certified copy to the Yates County Legislature to levy on the Town taxes.

Duly put to a vote as follows:

AYES: Church, Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution was thereupon adopted.

Dated: November 4, 2015

Patricia L. Christensen  
Town Clerk  
Town of Milo

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

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

Noes: none

Abstentions: none

Meeting adjourned at 7:20 PM.

Respectfully submitted,

Patricia L. Christensen  
Town Clerk

