

*The Town of Orleans Board Meeting
October 10, 2019*

The Town of Orleans Town Board Held a regular scheduled board meeting on October 10, 2019 at the municipal building in LaFargeville.

Members Present: *Kevin Rarick, Thomas Johnston, and Mary Ford-Waterman*

Members Absent: *Gwen Kirkby, and Peter Wilson*

Others Present: *Tammy Donnelly, Robert Black, Dale Raymo, Steve Dulmage, Lee Shimel, Peg Hale, Iris Waterson, Pam McDowell, Jack Woodward, Jim & Gerry Giambra.*

Supervisor Rarick called meeting to order at 7:03PM

1. Approval of minutes- A motion was made by Mary Ford-Waterman and seconded by Thomas Johnston to approve September 2019 minutes as read.

Kevin Rarick, Aye

Mary Ford-Waterman, Aye

Peter Wilson, Absent

Thomas Johnston, Aye

Gwen Kirkby, Absent All in favor motion carried

2. Financial -Cathy was not here.

3. Rob Black Highway Superintendent update- Rob gave report to board. Tire dumpster will be here next week, Rob will let board know of the cost from Kimco to remove when he gets bill.

4. Steve Dulmage DPW update- LA Sewer- Vac pits where put in. Signed Terry up for Waste Water school. TI Park and Fishers Landing inspections where good. Flushing hydrants at the end of the month. Plants are in winter mode.

Kevin has a strong chlorine smell in his water. Steve will check on.

5. LED lights have been installed by National Grid throughout the town.

6. Lee Shimel update- Lee gave update to town board. November 12 will be comp plan hearing. January 9th town board will need to do public hearing on comp plan. Discussion was held.

7. Jim Burrows spoke on JCIDA and gave residents update. JCIDA will hold a public hearing at the municipal building on 10/18/2019 at 10:00am.

8. Public Hearing for repel RPTL- Public hearing was opened at 7:30pm. Discussion was held. Jim Burrows spoke to board & public on the repel of the opt out local law

Hearing was closed at 7:55pm

A motion was made by Thomas Johnston and seconded by Mary Ford-Waterman to repeal local law 2 of 2019.

Kevin Rarick, Aye

Mary Ford-Waterman, Aye

Peter Wilson, Absent

Thomas Johnston, Aye

Gwen Kirkby, Absent All in favor motion carried

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Orleans

Local Law No. _____ of the year 2019

A local law Repeal Local Law 2 of 2019
(insert title)

Be it enacted by the Town Board of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Orleans

as follows:

Repeal Local Law 2 of 2019 - Opt out of NY RPTL §487

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2019 of the ~~County~~ ~~City~~ ~~Town~~ ~~Village~~ of Orleans Town Board _____ was duly passed by the _____ on _____ 2019, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

~~5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____, having been submitted to referendum pursuant to the provisions of section 36(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____, 20____, became operative.~~

~~6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of November _____, 20____, pursuant to subdivisions 5 and 7 of section 39 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.~~

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: _____

(Seal)

9. Public Hearing for 2% Tax Cap 7:40PM- Public Hearing for the override of the 2% Tax Cap was opened at 7:56PM. – Discussion was held. Hearing was closed at 8:04PM. A motion was made by Mary Ford-Waterman and seconded by Thomas Johnston to accept the Local Law to override the tax levy limit.

*Kevin Rarick, Aye
Mary Ford-Waterman, Aye
Peter Wilson, Absent
Thomas Johnston, Aye
Gwen Kirkby, Absent All in favor motion carried*

Local Law Filing

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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County City Town Village
(Select one.)

of Orleans, Jefferson County NY _____

Local Law No. _____ of the year 2019 _____

A local law To Override the Tax Levy Limit Established in General Municipal Law Section 3-c
(Insert Title)

Be it enacted by the Town Board _____ of the
(Name of Legislative Body)

County City Town Village
(Select one.)

of Orleans NY _____ as follows:

See Attachment

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 2019 of the ~~County~~(City)(Town)(Village) of Orleans ~~Town Board~~ was duly passed by the ~~(Name of Legislative Body)~~ on October 10 2019, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) and was deemed duly adopted on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20____.

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ (Name of Legislative Body) on _____ 20____, and was (approved)(not approved) (repassed after disapproval) by the _____ (Elective Chief Executive Officer*) on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)
I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)
I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph _____ above.

Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: _____

(Seal)

TOWN OF ORLEANS

LOCAL LAW NO. ____ FOR 2019

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

BE IT ENACTED by the Town Board of the Town of Orleans as follows:

- 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 Orleans pursuant to General Municipal Law §3-c, and to allow the Town of Orleans to adopt a budget for the fiscal year beginning January 1, 2020 and ending December 31, 2020 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c.
- Section 2.** **Authority:** This local law is adopted pursuant to subdivision 5 of the General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax limit by adoption of a local law approved by a vote of at least sixty percent (60%) of the Town Board.
- Section 3.** **Tax Levy Limit Override:** The Town Board of the Town of Orleans, County of Jefferson is hereby authorized to adopt a budget for the fiscal year 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.
- Section 4.** **Severability:** If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, individual, firm or corporation, or circumstance, shall be adjudicated 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.

10. Rob Campany update- Collins Landing sewer update- moving along will be needing revised easements for water & sewer. District is officially formed. 3 application for funding have been submitted. Should here from 1 funding agency by December. Working with DEC on their easement.

Rte. 12 Water- Rob gave update on project. TI Park Rob has received many phone calls from TI Park Corp wanting to know what we are going to do this fall. Rob thinks the DPW and him need to get together and discuss plans.

Jim Burrows gave a few Collins Landing West easements for water to Tammy so Dale & Tammy can get these easements signed. Jim also mailed some easements.

11. Budget dates – Work session will be October 16 at 7:00pm and October 23 at 7:00PM.

12. Other- Manny Jerome stated that there is a lot of crakes on County Route 100. He will call Jim Lawrence from the county to let know.

A motion was made by Mary Ford-Waterman and seconded by Thomas Johnston to adjourn meeting.

Meeting adjourned at 9:30PM

*Respectfully submitted
Tammy Donnelly*