

DATE: October 14, 2014 KIND OF MEETING: Regular Town Board Meeting

WHERE HELD: Chazy Town Hall PRESIDING OFFICER: Mark Henry Supervisor

	MEMBERS PRESENT	MEMBERS ABSENT
Supervisor - Mark Henry	(x)	()
Councilor - Daniel Vesco	(x)	()
Councilor - Jerry Deno	(x)	()
Councilor - Cathy Devins	(x)	()
Councilor - Willie Giroux	(x)	()
Clerk - Philip Beauharnois	(x)	()
Attorney - William Favreau	(x)	()
Hwy. Supt. - Timothy Lamica	(x)	()

OTHERS PRESENT: S. Patnode

PUBLIC HEARING ON THE ADOPTION OF LOCAL LAW NO. 2 OF THE YEAR 2014

A legal notice was placed in the official newspaper on Tuesday, September 29, 2014 as follows:

**TOWN OF CHAZY
NOTICE OF PUBLIC HEARING
Local Law No. 2
October 14, 2014**

PLEASE TAKE NOTICE that the Town Board of the Town of Chazy will hold and conduct a Public Hearing at the Town Hall of the Town of Chazy located on 9631 Route 9 in the Town of Chazy, Clinton County, New York, on the 14th day of October in the year 2014 at 7:00 o'clock p.m. in the evening of that day on proposed Local Law entitled: "A local law to override the tax levy limit established in General Municipal Law 3-c".

PLEASE TAKE FURTHER NOTICE that at said Public Hearing, to be held at a time and place set forth above, the Town Board shall consider the proposed Local Law and hear all persons interested thereon concerning same. Copies of proposed local law may be obtained from the Chazy Town Clerk during regular business hours.

Dated: September 29, 2014

TOWN OF CHAZY

Philip F. Beauharnois
By: Philip F. Beauharnois
Town Clerk

Proof of notice having been furnished, Supervisor Mark Henry called the public hearing on adoption of Local Law No. 2, to order at 7:03 PM.

Supervisor Mark Henry presented Local Law No. 2, "A local law to override the tax levy limit established in General Municipal Law 3-c" for adoption. He requested any questions or comments.

The following people spoke against adopting the local law:

No one spoke for or against the proposed local law

All persons desiring to be heard were heard.

Supervisor Mark Henry closed the public hearing at 7:04 PM.

CALL MEETING TO ORDER

Supervisor Mark Henry called the 10/14/2014 Regular Town Board meeting to order at 7:05 PM.

MINUTES

Councilor Cathy Devins made a motion that the minutes of the 09/08/2014 Regular Town Board meeting and 10/1/2014 Special Town Board meeting be approved as submitted by the Town Clerk, seconded by Councilor Jerry Deno.

Motion carried. Ayes – Councilor Jerry Deno, Councilor Cathy Devins, Councilor Willie Giroux, Councilor Daniel Vesco and Supervisor Mark Henry.

REPORTS

The Supervisor and Town Clerk September 2014 monthly reports submitted to Board for review and filed.

PUBLIC COMMENT

None

CLINTON COUNTY LEGISLATOR REPORT

Legislator Dyer reported

Was in present

ATTORNEY FOR THE TOWN REPORT

William Favreau – Town Attorney reported

- Discussed Local Law #2 – Override Tax Levy Limit, he explained the purpose and intent of this law.
- Asked if the Town had decided on which version of the proposed Local Law amendments he provide for Dog Control they wished to pursue. Supervisor Henry noted that action will be addressed at our November 2014 Regular Town Board Meeting on November 6, 2014

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Timothy Lamica reported

- Noted the new Propane tank are in.
- Noted that the garage has their wood in for this winter
- Noted the Highway Dept. had three (3) more days of roadside mowing left to do.

TOWN COUNCIL ITEMS

Councilor Daniel Vesco Discussed The Following With the Board:

Had nothing to report.

Councilor Willie Giroux Discussed The Following With The Board:

Had nothing to report.

Councilor Jerry Deno Discussed The Following With The Board:

Had nothing to report.

Councilor Cathy Devins Discussed The Following With The Board:

- Asked Supervisor Henry if there was any news on the Dollar General Store. Supervisor Henry said he has not heard a word, however, if an when he does he will so advise the Board.

SUPERVISOR ITEMS**Supervisor Mark Henry reports:**

- Discussed the oil burner furnace at the Chazy Town Hall, noting that it is likely that a new furnace will be needed and at this time he is leaning towards a propane replacement furnace. He further noted that he is in the process of contacting potential furnace vendors for prices.
- Discussed the chimney on the side of the Chazy Town Hall, noting that it is leaning away from the building. Prices for removal have been requested. Also, he said that depending if the town were to go to a propane furnace we would not need to replace the existing chimney.
- Informed the Town Board that Tom Burdo began work today (10-14-2014) as our new Water and Sewer Maintenance Worker I.
- Noted that the new LP Gas Tanks have been received and the old ones removed.
- Reminded the Town Board that there is going to be a Special meeting on Thursday, October 16, 2014 at 5 PM regarding the 2015 Tentative Budget.

LOCAL LAW NO. 2 OF THE YEAR 2014 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c**Resolution: 14-100****10/14/2014**

Motion by: Councilor Jerry Deno

WHEREAS, Local Law No. 2 of the year 2014 entitled:

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

was introduced by the Town Board, and

WHEREAS, a public hearing, was held on said proposed Town of Chazy Local Law No. 2 of the year 2014, on October 14, 2014, at 7:00 p.m. prevailing time, at the Town Hall, Town of Chazy, Clinton County, New York, and

NOW, THEREFORE BE IT RESOLVED that the Chazy Town Board does hereby authorize the adoption of Local Law No. 2 of the year 2014, and prompt filing of said law as adopted with the Department of State of the State of New York in order for said Local Law to become effective at the earliest possible date; and it is hereby further

RESOLVED, that proposed Local Law No. 2 of the year 2014 as afore mentioned, be, and the same hereby is, adopted as Local Law No. 2 of the year 2014, and it is further

RESOLVED, that the Town Attorney, acting for the Town Clerk, be, and he hereby is, directed to cause said Local Law No. 2 of the year 2014 to be duly filed with the Department of State of the State of New York.

Seconded by: Councilor Daniel Vesco

Discussion: No

Roll Call:		<u>Yes</u>	<u>No</u>
Willie Giroux		x	
Jerry Deno		x	
Cathy Devins		x	
Daniel Vesco		x	
Mark Henry		x	

Carried: YES

Local Law No 2 of the year 2014

Town of Chazy, County of Clinton

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 Chazy 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 Chazy pursuant to General Municipal Law § 3-c, and to allow the Town of Chazy to adopt a budget for the fiscal year 2015 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 General Municipal Law § 3-c, which expressly authorizes the town board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Chazy, County of Clinton is hereby authorized to adopt a budget for the fiscal year 2015 that requires a real property tax levy in excess of the amount otherwise proscribed 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, firm or corporation, or circumstance, shall be adjusted 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.

NOTICE OF PUBLIC HEARING FOR THE CHAZY & WEST CHAZY FIRE PROTECTION CONTRACTS FOR 2015

Resolution: 14-101 10/14/2014

Motion by: Councilor Cathy Devins

WHEREAS, the Chazy and West Chazy fire districts will submit their 2015 Fire Protection budget requests,

NOW, THEREFORE BE IT RESOLVED, that the Chazy Town Board does hereby authorize the Town Clerk to advertise, in the official newspaper, Notice of Public Hearing on the Chazy fire protection contract with the Chazy and West Chazy Fire Districts to be held at the Chazy Town Hall on Thursday Nov. 6, 2014 at 7:00 PM.

Seconded by: Councilor Willie Giroux

Discussion: No

		<u>Yes</u>	<u>No</u>
Roll Call:	Willie Giroux	x	
	Jerry Deno	x	
	Cathy Devins	x	
	Daniel Vesco	x	
	Mark Henry	x	

Carried: YES

BOARD OF ASSESSMENT REVIEW APPOINTMENT/ANGELA SWAN

Resolution: 14-102 **10/14/2014**

Motion by: Councilor Cathy Devins

WHEREAS, **Angela Swan** agrees to the appointment to the Board of Assessment Review;

NOW, THEREFORE, BE IT RESOLVED, that the Chazy Town Board does hereby appoint **Angela Swan**, 1425 Lake Shore Rd., Chazy NY as a member of the Board of Assessment Review. The term of office will expire on September 30, 2018.

Seconded by: Councilor Jerry Deno

Discussion: No

		<u>Yes</u>	<u>No</u>
Roll Call:	Willie Giroux	x	
	Jerry Deno	x	
	Cathy Devins	x	
	Daniel Vesco	x	
	Mark Henry	x	

Carried: YES

AUTHORIZATION TO APPLY FOR 2015 JUSTICE COURT ASSISTANCE PROGRAM GRANT

Resolution: 14-103 **10/14/2014**

Motion by: Councilor Cathy Devins

WHEREAS, in October 2014 the Action Plan for the Justice Courts was introduced by the State of New York Unified Court System, providing inter alia, for monetary grants to the Town and Village Courts through the Justice Court Assistance Program (JCAP); and

WHEREAS, the Justice Court Assistance Program (JCAP) provides for annual grants of up to \$30,000 for Justice Court related construction, furniture and/or equipment needs, the 2015 application deadline of which is October 15, 2014, and

WHEREAS, the Town of Chazy continues to aggressively search for and secure funding Assistance for the Town Court, and

WHEREAS, the Town of Chazy Justices have identified a funding opportunity and need to acquire certain equipment, and

WHEREAS, the Justice Court Assistance Program (JCAP) grant application requires a resolution of the Town of Chazy Board authorizing the application;

NOW, THEREFORE BE IT RESOLVED, that the Town of Chazy hereby authorizes the Town Supervisor and the Town Justices to execute and apply for the 2015 Justice Court Assistance Program (JCAP) grant from the State of New York Unified Court System, to include telephone system \$4,060.00; desk for judges chamber \$569.99; chair for judges chamber \$235.79; computer, monitor and installation for computer in judges chamber \$1,854.99: for a total of \$6,720.77.

Seconded by: Councilor Jerry Deno

Discussion: No

		<u>Yes</u>	<u>No</u>
Roll Call:	Willie Giroux	x	
	Jerry Deno	x	
	Cathy Devins	x	
	Daniel Vesco	x	
	Mark Henry	x	

Carried: YES

2014 BUDGET TRANSFERS

Resolution: 14-104 **10/14/2014**

Motion by: Councilor Cathy Devins

RESOLVED, that the Chazy Town Board does hereby authorize the following 2014 budget transfers:

From:	Amount:	To
1990.01.004.00 Contingent	\$7.95	1410.01.004.21 Supplies
1990.01.004.00 Contingent	\$321.47	7140.01.001.39 Chazy Mowing
1990.01.004.00 Contingent	\$1174.78	1420.01.004.23 Atty./Pers. Svcs
1990.01.004.00 Contingent	\$115.04	1220.01.004.21 Supplies
1990.01.004.00 Contingent	\$116.70	1910.01.004.00 Unallocated Ins.
1990.01.004.00 Contingent	\$262.72	7140.01.004.39 Chazy Rec. Park

Seconded by: Councilor Jerry Deno

Discussion: No

		<u>Yes</u>	<u>No</u>
Roll Call:	Willie Giroux	x	
	Jerry Deno	x	
	Cathy Devins	x	
	Daniel Vesco	x	
	Mark Henry	x	

Carried: YES

PAYMENT OF CLAIMS

Resolution: 14-105 **10/14/2014**

Motion by: Councilor Jerry Deno

RESOLVED, that the Chazy Town Board does hereby authorize payment of the following claims:

General Fund claims #305-333 and 23414-23415, 23417-23421	in the amount of	\$33,215.94
Highway Fund claims #193-217 and 23417-23420	in the amount of	\$28,652.30
Sewer District claims #99-104 and 23413, 23416 & 23421	in the amount of	\$ 6,449.46
Water District claims #60-66 and 23413 & 23416	in the amount of	\$ 2,940.15
Light District claims #10	in the amount of	\$ 2,513.83
T & A claims #12107-12109, 12122- 12124, 12133-12139 & 12151-12153	in the amount of	\$5,879.56

TOTAL: \$ 79,651.24

Seconded by: Councilor Cathy Devins

Discussion: No

Roll Call:	<u>Yes</u>	<u>No</u>
Willie Giroux	x	
Jerry Deno	x	
Cathy Devins	x	
Daniel Vesco	x	
Mark Henry	x	

Carried: YES

Supervisor Henry reminded the board that there will be a Special Meeting on Thursday, October 16, 2014 at 5 PM to discuss the 2015 Tentative Budget.

Supervisor Henry reminded the board that our next Regular Town Board meeting will be on Thursday, November 6, 2014 at the Chazy Town Hall.

ADJOURNMENT

Town Supervisor Mark Henry asked for a motion to adjourn.

Councilor Cathy Devins made a motion, seconded by Councilor Jerry Deno to adjourn the 10/14/2014 Regular Town Board meeting at 7:17 PM.

Respectfully yours,

Philip F. Beauharnois
Philip F. Beauharnois
Clerk of the Board