

**A Town Board Meeting of the Town of Owasco was held on August 10, 2023
At 4:00 PM in the Owasco Town Hall with the following members present:**

**PRESENT: Supervisor Edward Wagner on (Via Zoom)
Councilperson Fred Cornelius
Councilperson Gucciardi
Councilperson, Jeremy VeVone
Councilperson Mike Vitale**

ABSENT:

**OTHERS PRESENT: Riccardo Galbato, Frank Lattimore, Bob Bruno,
Joshua Czyz**

CALL TO ORDER: 4:00PM

PLEDGE OF ALLEGIANCE:

APPROVAL OF AGENDA:

RESOLUTION 23-098 approval of Town Board Agenda for August 10, 2023

Motion by Councilor Vitale; Second Councilor Gucciardi

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Yes</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Abstain</u>	

**RESOLUTION 23-099 approval of Town Board Minutes for Town Board Meeting on
July 13, 2023.**

Motion by Councilor Cornelius; Second Councilor VeVone

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Yes</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Abstain</u>	

PUBLIC PARTICIPATION:

Gerald Salvage would like to address the board.

Supervisor Wagner explained to the board members that Mr. Salvage’s vehicle was hit by a stone as he was passing a town employ mowing the side of the road. As a result Mr. Salvage would like the town to reimburse him \$2500.00 his deductible. The Town Insurance denied the claim as municipalities are except from such claims.

Resolved: The Board agreed to not pay the claim and respect the insurance company’s decision.

Mr. Pat McQueeney of 22 Green Links Turn addressed the board regarding the status of the town removing a town pipe that runs near his property. Highway Superintendent Bob Bruno stated they would remove it but he needs to realize that the pipe on the other end on the County’s land only has a 12’ pipe and that could create a real issue on his property.

Resolved: Mr. McQueeney stated for the town to hold off on the removal until he talks to some other contractors for their opinion.

Councilmen Cornelius updated the board on an Owasco Rd property that is in foreclosure, and will now be vacant.

Councilmen VeVone addressed the board on a request from resident Mike Moore for speedbumps and another gate on the town access adjacent to the town’s shelter parking lot.

NEW BUSINESS:

OLD BUSINESS:

COMMUNICATIONS

Request to lower speed limit on Stryker Ave.

Stryker Ave/ Owasco Rd resident Frank Lattimore addressed the board with a request to lower the speed limit on Stryker Ave to 25mph.

The Town Board will contract the Sheriff’s office or request that our highway dept. place a speed monitor on Stryker Ave.

**RESOLUTION 23-100 to Open the PUBLIC HEARING FOR LOCAL LAW NO. 4 OF 2023
A LOCAL LAW PROVIDING A TAX EXEMPTION FOR VOLUNTEER
FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO N.Y. REAL
PROPERTY TAX LAW**

Motion by Councilor Gucciardi; Second Councilor Vitale

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Abstain</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Abstain</u>	

RESOLUTION 23-101 to withdraw or expend up to \$10,000 toward the cost of new 2023 Ford F-250 Pick Up Truck from the Water District Equipment Reserve Fund

WHEREAS, on 11.12.20 by Resolution 20-163 the Town Board Established a Capital Reserve Fund to Finance a “Type” of Capital Improvement or Equipment; **Water District Equipment Reserve Fund.**

RESOLVED: To withdraw or expend up to \$10,000 toward the cost of new 2023 Ford F-250 pick Up Truck from the Water District Equipment Reserve Fund.

This purchase was made pursuant to the Town’s Procurement Policy and specifically came from the Onondaga County Municipal Bid.

The Town Board is making this expenditure subject to permissive referendum and directs the Town Clerk to publish a notice in The Citizen.

Councilmen Vevone recommend the board table to resolution & town attorney Rick Galbato reccomened talking to the auditors how to handle

Motion to Table

All in favor of tableing.

Motion by Councilor VeVone; Second Councilor Cornelius

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Yes</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Abstain</u>	

RESOLUTION 23-102 To authorize the Town of Owasco Highway Department to purchase a 2014 Ford Pick Up Truck with a plow Vin number. 1FT7X2B65EEB09314 from the Town of Owasco Water District in the amount of \$15,000.00.

Highway Superintendent Bob Bruno requested that the time and money he put into the truck be deducted from the purchase price.
All board members agreed.

To amend and approve the amendment.

Motion by Councilor Cornelius; Second Councilor Vitale

Roll call vote: Councilor Cornelius Yes Councilor Gucciardi Yes
 Councilor VeVone Yes Councilor Vitale Yes
 Supervisor Wagner Abstain

RESOLUTION 23-103 To withdraw or expend up to \$67,000 toward the cost of a new roof at the Owasco Town Hall from the Town Hall Building, Alterations and Land or Site, Acquisition, Repair and Maintenance Reserve Fund

WHEREAS, on 6.12.14 by Resolution 14-093 the Town Board Established a Capital Reserve Fund to Finance a “Type” of Capital Improvement or Equipment; **Town Hall Building, Alterations and Land or Site, Acquisition, Repair and Maintenance Reserve Fund.**

RESOLVED: To withdraw or expend up to \$67,000 toward the cost of a new roof at the Owasco Town Hall from the Town Hall Building, Alterations and Land or Site, Acquisition, Repair and Maintenance Reserve Fund

This purchase is being made pursuant to the Town’s Procurement Policy and specifically the project is going out to bid.

The Town Board is making this expenditure subject to permissive referendum and directs the Town Clerk to publish a notice in The Citizen.

Motion by Councilor Cornelius; Second Councilor VeVone

Roll call vote: Councilor Cornelius Yes Councilor Gucciardi Yes
 Councilor VeVone Yes Councilor Vitale Yes
 Supervisor Wagner Abstain

RESOLUTION 23-104 to CLOSE the PUBLIC HEARING FOR LOCAL LAW NO. 4 OF 2023 A LOCAL LAW PROVIDING A TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO N.Y. REAL PROPERTY TAX LAW

Motion by Councilor Cornelius; Second Councilor Gucciardi

Roll call vote: Councilor Cornelius Yes Councilor Gucciardi Yes
 Councilor VeVone Yes Councilor Vitale Yes
 Supervisor Wagner Abstain

RESOLUTION 23-105 to approve SEQR determination for Local Law No. 4 of 2023

A Resolution to Issue a Determination of Environmental Significance for Local Law No. 4 of 2023.

WHEREAS, the Owasco Town Board declares itself Lead Agency for the purpose of conducting the environmental review of said proposed action;

WHEREAS, the Owasco Town Board has determined that the proposed action for adoption of **Local Law No. 4 of 2023** is an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations;

WHEREAS, the proposed local law does not require review by the Cayuga County General Municipal Law 239-l, m & n Review Committee as it is not a zoning law;

WHEREAS, the Owasco Town Board hereby determines that the action does not involve any other agencies apart from the Owasco Town Board itself; and

WHEREAS, the Town Board caused a Short Environmental Assessment Form to be prepared for use to assess the potential environmental impacts associated with enactment of the proposed local law.

BE IT RESOLVED, that the Owasco Town Board has determined that the adoption of the proposed **Local Law No. 4 of 2023** will not have a significant adverse impact on the environment and hereby issues a Negative Declaration.

BE IT FURTHER RESOLVED, that the Town Supervisor be and is hereby directed to sign the Negative Declaration of Environmental Significance.

Motion by Councilor Gucciardi; Second Councilor Vitale

Roll call vote:	Councilor Cornelius	<u>Yes</u>	Councilor Gucciardi	<u>Yes</u>
	Councilor VeVone	<u>Yes</u>	Councilor Vitale	<u>Yes</u>
	Supervisor Wagner	<u>Yes</u>		

Resolution 23-106 A Resolution of the Town Board for the adoption and enactment of Local Law No. 4 of 2023 to

WHEREAS, a Notice of Public Hearing with respect to said proposed Local Law was duly published in The Citizen, the official Town newspaper and a newspaper circulated in said Town, on **August 3, 2023**, and proof of such publication has been filed with the Town Clerk;

WHEREAS, a Notice of Public Hearing with respect to such Local Law was duly posted on the sign board of the Owasco Town Hall;

WHEREAS, a Public Hearing upon said proposed Local Law was held at the Owasco Town Hall, 2 Bristol Avenue, Auburn, New York 13021, in the Town of Owasco, New York on

this date, **August 10, 2023**, pursuant to such Notice and an opportunity to be heard was given at said hearing to those favoring or opposing passage of said proposed Local Law;

WHEREAS, the proposed local law does not require review by the Cayuga County General Municipal Law 239-l, m & n Review Committee as it is not a zoning law;

WHEREAS, the Owasco Town Board by Resolution on this date issued a Negative Declaration under SEQRA for **Local Law No. 4 of 2023**; and

WHEREAS, the Town Board has carefully considered the proposed Local Law, and after due deliberation, finds it is in the best interest of the Town of Owasco to adopt said Local Law.

NOW, THEREFORE, AFTER DUE CONSIDERATION, IT IS HEREBY,

RESOLVED, that the Town Board of the Town of Owasco hereby approves and enacts **Local Law No. 4 of 2023** set forth below:

TOWN OF OWASCO

LOCAL LAW NO. 4 OF 2023

A LOCAL LAW PROVIDING A TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO N.Y. REAL PROPERTY TAX LAW

BE ENACTED BY the Town Board of the Town of Owasco, as follows:

SECTION 1 - LEGISLATIVE INTENT: It is the intent of the Town Board of the Town of Owasco to exercise the authority granted to local taxing jurisdictions by N.Y. Real Prop. Tax Law, § 466-a; *Volunteer firefighters and volunteer ambulance workers*, which became effective on December 9, 2022. This recent state legislation provides a mechanism by which the (city, village, town or county) can properly thank and reward those individuals who volunteer their time providing emergency response to the town's residents at a crucial time. The Town Board of the Town of Owasco is also keenly aware of the need for new membership in many of the fire companies and departments throughout the town and county and finds that offering a tax incentive will supplement recruitment efforts across the town and county.

SECTION 2 - EXEMPTION AUTHORIZATION

Pursuant to Real Prop. Tax Law § 466-a, the Town of Owasco will provide for an exemption of ten percent (10%) of the assessed value of their primary residence from town tax, provided that they are an enrolled member, including a member and spouse, of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service beginning July 1, 2023.

SECTION 3 - ELIGIBILITY

- a. The applicant for such exemption shall be a resident of the city, town, or village served by the incorporated volunteer fire company, or fire department, or incorporated voluntary ambulance service (hereinafter as "Volunteer Responder Organization) of which the applicant is a member;
- b. The property must be the primary residence of the applicant;
- c. The property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to full taxation and the remaining portion only shall be entitled to the exemption provided by this local law; and
- d. The applicant has been certified by the chief executive of the Volunteer Responder Organization as having been an active, enrolled member of the Volunteer Responder Organization for at least two (2) years.

SECTION 4 - LIFETIME EXEMPTION

Any enrolled member of a Volunteer Responder Organization who accrues more than twenty (20) years of active service and is certified pursuant to Section 3(d) of this Local Law shall be granted a lifetime exemption of ten percent (10%) of the assessed value of their primary residence from the town tax, provided that their primary residence remains within the town.

SECTION 5 - FILING OF APPLICATION

Applicants shall file with their local assessor on or before March 1 the following documents to be eligible for the following year's partial town tax exemption:

- a. Certification of Service specified in Section 3(d).
- b. Form RP-466-a-vol, or other form as prescribed by the New York Commissioner of Taxation and Finance.

SECTION 6 – RESERVED

SECTION 7 – RESERVED

SECTION 8 – SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this law, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 9 - EFFECTIVE DATE

This local law shall take effect immediately upon filing with the New York State Secretary of State.

Motion by Councilor Cornelius; Second Councilor Gucciardi

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Abstain</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Abstain</u>	

RESOLUTION 23- 107 AUDIT AND PAYMENT OF CLAIMS: authorizing the audit and payment of the following claims: General and Highway Funds, Special Districts, (Water and Sewer Districts), Capital Project and Reserve Fund claims, and ratifying the payment of the prepaid claims as authorized by resolution 16-006 adopted January 4, 2016, all in accordance with the attached abstract of claims.

ABSTRACT 08 2023 Vouchers # 593-677 in the amount of \$306,092.90

Trust & Agency Voucher # 7070-7081 in the amount of \$ 24,081.98

for a grand total of \$330,174.88

Motion by Councilor VeVone; Second Councilor Cornelius

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Yes</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

RESOLUTION 23-108 to adjourn to executive session at 4:48PM to discuss personnel issues, and Contract land issues

Motion by Councilor VeVone; Second Councilor Cornelius

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Yes</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

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RESOLUTION 23- 109 to return from executive session at 5:50PM.

ADJOURNMENT:

RESOLUTION 23-110 to adjourn the meeting:

Motion by Councilor VeVone; Second Councilor Cornelius

Roll call vote:	Councilor Cornelius <u>Yes</u>	Councilor Gucciardi <u>Yes</u>
	Councilor VeVone <u>Yes</u>	Councilor Vitale <u>Yes</u>
	Supervisor Wagner <u>Yes</u>	

Meeting adjourned at 5:50 PM