

SPECIAL LEGISLATURE MEETING

December 5, 2016

Chairman Callard called the meeting to order at 9:30 a.m. After the pledge to the flag, the Clerk called the roll. All Legislators were present.

The following resolutions were presented for adoption.

RESOLUTION NO. 416-1216

ADOPTING THE 2017 ORLEANS COUNTY BUDGET

WHEREAS, the 2017 tentative budget for Orleans County was presented to the general public at a public hearing held at 7:00 p.m. on November 28, 2016; and

WHEREAS, this Legislature has reviewed and discussed said tentative budget; now, be it

RESOLVED, that this Legislature does hereby adopt the 2017 tentative budget, as the Orleans County budget for 2017, with a tax levy of \$16,728,410.00.

Moved, DeFilipps; second, Allport.

Roll Call: 7 ayes: Allport, Callard, DeFilipps, DeRoller, Eick, Johnson, Miller; 0 nays; 0 absent.

Adopted.

RESOLUTION NO. 417-1216

APPROVING APPORTIONMENT OF THE 2017 GENERAL COUNTY BUDGET

RESOLVED, that the apportionment of the General County Budget for 2017, as prepared by the Director of Real Property Tax Services, be, and hereby is, in all respects approved by this Legislature.

Town	Adjusted Taxable Value	Taxable Value	Equal Rate	Value for Apportionment	Portion of Total Levy	2017 Tax Levy
Albion	219,494,009	216,002,139	100%	219,494,009	12.575%	2,103,622.37
Barre	98,606,981	97,076,773	100%	98,606,981	5.649%	945,045.62
Carlton	208,507,748	204,918,413	100%	208,507,748	11.946%	1,998,330.46
Clarendon	163,996,842	160,482,073	100%	163,996,842	9.396%	1,571,739.60
Gaines	126,692,863	124,563,153	100%	126,692,863	7.258%	1,214,219.66
Kendall	158,915,758	156,386,881	100%	158,915,758	9.105%	1,523,042.68
Murray	185,289,851	181,124,751	100%	185,289,851	10.616%	1,775,811.00
Ridgeway	225,676,626	220,400,089	94%	240,081,517	13.755%	2,300,932.28
Shelby	185,965,274	182,446,670	100%	185,965,274	10.654%	1,782,284.23
Yates	154,749,608	152,545,143	98%	157,907,763	9.047%	1,513,382.10
Totals	1,727,895,560	1,695,946,085		1,745,458,606	100.00%	16,728,410

Moved, Johnson; second, DeFilipps.

Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 418-1216

AUTHORIZING TOWN LEVIES

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget of each of the several towns in the County of Orleans for fiscal year beginning January 1, 2017; be it

RESOLVED, that there shall be assessed and levied upon and collected from the taxable real property situated in the following named towns outside of any incorporated village, wholly set partially located therein, the amounts indicated below, for the Highway - Townwide; Highway - Outside and Part-Town Outside purposes, as specified in the budgets of the respective towns:

TOWNS	HIGHWAY OUTSIDE	HIGHWAY TOWNWIDE	TOWN OUTSIDE
Albion	128,067.00	200,379.00	
Barre		636,603.00	
Carlton		637,212.00	
Clarendon		376,442.50	
Gaines	65,320.00	176,171.00	17,778.26
Kendall		425,843.00	
Murray	190,913.00	205,509.00	35,717.00
Ridgeway	201,581.00	387,571.00	54,975.00
Shelby	287,341.00	221,042.00	21,959.00
Yates	226,540.00	100,220.00	14,825.00

and be it

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable, therefore, with the respective Fire Protection and Improvement Districts in the following towns, as indicated, the amounts for the purpose of such districts as follows:

TOWN	DISTRICT	AMOUNT
Albion	Fire Protection	99,159.00
	Water District 1	17,742.00
	Water District 3	70,000.00
	Water District 4	28,569.00
	Water District 5	60,386.00
	Water District 6	22,800.00
	Water District 7	9,360.00
	Water District 8	15,221.00
	Water District 9	10,663.00
	Sewer District 1	50,765.00
Barre	Fire District	189,500.00
	Water District 2	12,350.00
	Water District 3	10,415.00
	Water District 4	14,849.00
	Water District 5	35,360.00
	Water District 6	46,571.00
	Water District 7	14,347.00
Carlton	Fire Protection	161,280.00
	Light District I	6,000.00
	Light District II	8,000.00
	Water	367,475.00

Clarendon	Fire Protection	171,634.30
	Water District 2	36,103.62
	Water District 3	72,863.29
	Water District 4	53,944.00
	Water District 5	13,931.55
	Water District 6	27,364.08
	Water District 7	49,328.53
	Water District 8	8,844.64
	Water District 9	7,604.34
	Water District #9 Ext	1,790.02
	Water District 10	68,707.89
	Water District 11	68,743.34
Gaines	Fire Protection	90,000.00
	Water District 2	8,077.00
	Water District 3	6,688.25
	Water District 5	3,773.75
	Water District 6	7,233.00
	Water District 7	5,412.53
	Water District 8	8,800.00
	Water District 9	9,176.00
	Water District 10	9,368.00
Kendall	Fire District 1 (Kendall)	163,900.00
	Fire District 2 (Morton)	74,417.00
	Light District 1	5,200.00
	Light District 2	2,885.00
	Light District 3	1,475.00
	Water District 1	2,503.00
	Water District 2	11,811.00
	Water District 3	16,765.26
	Water District 4	61,200.26
	Water District 5	11,951.00
	Water District 6	10,941.00
Murray	Fire Protection District 1	199,000.00
	Fire District 2 (FHM)	107,600.00
	Light District 1 (Fancher)	2,600.00
	Light District 2 (Hulberton)	3,800.00
	Light District 3 (Brockville)	1,200.00
	Water District 1	5,000.00
	Water District 2	31,000.00
	Water District 3	22,582.00
	Water District 4	6,000.00
	Water District 5	4,300.00
	Water District 6	12,000.00
	Water District 7	19,500.00
	Water District 8	16,440.00

	Water District 9	6,500.00
	Water District 10	7,000.00
	Water District 11	103,054.00
	Water District 12	12,000.00
	Water District 13	19,201.00
	Water District 14 (Gaines)	3,900.00
	Water District 15	59,000.00
Ridgeway	Fire Protection	193,963.00
	Light	3,375.00
	Water Improvement 31-E	8,800.00
	Water improvement 269	7,915.00
	Water District 2	19,225.00
	Water District 3	32,228.25
	Water District 4	64,493.73
	Water District 5	26,443.63
	Water District 6	13,918.62
	Water District 7	6,950.00
	Water District 8	9,373.85
	Water District 9	5,265.68
	Water District 10	11,767.75
	Water District 11	2,041.26
	Water District 12	14,026.28
	Water District 13	10,562.49
	Knowlesville Sewer District	31,500.00
Shelby	Fire Protection District (Shelby & East Shelby)	301,657.00
	Light District 1 (Shelby)	2,550.00
	Light District 2 (Millville)	1,300.00
Yates	Fire Protection	66,600.00
	Water District 4	177,749.00

and be it

FURTHER RESOLVED, that the amount to be raised by tax for all other purposes, as specified in the said several annual budgets as presented to this Legislature, and which are now on file in the Office of the Clerk of the Legislature, shall be, and hereby are assessed, levied upon and collected from all the taxable property in the towns enumerated below, except as otherwise provided by law:

TOWN	REASSESSED WATER BILLS	REASSESSED SEWER BILLS	PROPERTY MAINTENANCE	GENERAL FUND
Albion	2,115.76			396,805
Barre			3,700.00	271,929
Carlton	4,318.67		975.00	310,915
Clarendon	5,842.20		1,285.00	364,991
Gaines	1,233.28			245,500
Kendall				294,542

Murray		6,971.20	348,221
Ridgeway	6,591.61		329,577
Shelby	27,572.75		432,995
Yates	1,654.48		287,728

and be it

FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this resolution for distribution to them in the manner provided by law.

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 419-1216

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID RECYCLING-SOLID WASTE PROGRAM FEES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to add the following 2016 Unpaid Solid Waste/Recycling Fees to the 2017 tax rolls of the several towns in Orleans County:

TOWN		AMOUNT
Albion	Inside	19,164.95
	Outside	5,862.22
Barre		7,440.51
Carlton		15,444.70
Clarendon		6,764.10
Gaines	Inside	1,127.35
	Outside	7,665.98
Kendall		7,665.98
Murray	Inside	7,215.04
	Outside	9,469.74
Ridgeway	Inside	12,175.38
	Outside	12,400.83
Shelby	Inside	10,371.62
	Outside	11,949.91
Yates	Inside	2,029.23
	Outside	10,146.17
Total		146,893.71

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 420-1216

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID SCHOOL TAXES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to relevy the unpaid school taxes, adding a 7% penalty; said taxes to be added to the 2017 tax rolls of the respective towns as of November 1, 2016:

TOWN		AMOUNT
Albion	Inside	119,192.86
	Outside	66,721.82
Barre		70,062.37
Carlton		247,371.35
Clarendon		242,470.86
Gaines	Inside	11,705.04
	Outside	93,050.26
Kendall		149,616.69
Murray	Inside	112,365.34
	Outside	244,256.53
Ridgeway	Inside	150,612.18
	Outside	157,007.80
Shelby	Inside	204,990.45
	Outside	157,394.59
Yates	Inside	16,819.33
	Outside	121,782.59
Total		2,165,420.06

Moved, Johnson; second, DeFilipps.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 421-1216

AUTHORIZING COUNTY TREASURER TO RELEVY CERTAIN UNPAID VILLAGE TAXES

RESOLVED, that the Orleans County Treasurer, she be, and hereby is authorized to relevy certain unpaid village taxes to the 2017 tax bills, adding a 5% penalty, as follows:

VILLAGE	TOWNS:	AMOUNT
Village of Albion	Town of Albion	148,539.37
	Town of Gaines	14,874.83
Village of Holley		65,316.92
Village of Lyndonville		19,767.96
Village of Medina	Town of Ridgeway	112,681.53
	Town of Shelby	89,591.54
TOTAL		450,772.15

Moved, Johnson; second, DeFilipps.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 422-1216

AUTHORIZING COUNTY TREASURER TO CHARGE BACK ERRONEOUS TAXES TO RESPECTIVE COUNTY, TOWN, AND SCHOOL DISTRICTS

RESOLVED, that pursuant to the request of the County Treasurer by letter dated November 29, 2016, she be, and hereby is, authorized to charge back the following erroneous taxes to the respective towns and schools within the County, as follows:

TOWN	TAX MAP #	TAX YEAR	TO COUNTY	TO TOWN	TO SCHOOL	SOLID WASTE	TO VILLAGE	TOTAL
ALBION								
Mowing – Local Law	various	various					3,200.00	3,200.00
CARLTON								
Mart, Kenneth & Cheryl	5.1-1-24	2016	550.85	374.77				925.62
Walsh, Claudia	5.49-1-4.1	2016		200.00				200.00
Grabowski, Shawn & Shealy	16.-1-25.111	2016		400.00				400.00
Glendale Farms	16.-1-25.112	2016		200.00				200.00
Pescara, Gerald	25.-1-25.122	2016	19.94					19.94
The Mike-Matt Lands Partnership	28.-1-76	2016		200.00				200.00
Jackson, Cooper	29.-1-30.113	2016		810.00				810.00
Budynski, Earl	39.-1-8.111	2016		200.00				200.00
Harding, Jeffrey A.	40.-1-12.1	2016	425.51	231.56				657.07
CLARENDON								
Mathes, George & Eugenia	97.-1-51.2	2014,2015		643.19				643.19
Jarosinski, Barbara	108.-2-46.1	2016	336.67					336.67
MURRAY								
Ribble, Bruce	88.5-2-45	2013-2015	14,575.60	2,015.55	17,293.07	1,525.67	10,889.33	46,299.22
Ribble, Bruce	88.5-2-45	2016	1,702.53		799.31	219.74	2,296.84	5,018.42
RIDGEWAY								
Mowing – Local Law	various	various					1,734.75	1,734.75
SHELBY								
Hellert, Eileen & David	101.-1-37	2016	389.84	247.08				636.92
Mowing – Local Law	various	various					132.50	132.50
YATES								
Zimmerman, John & Joanne	3.10-1-7.1	2014	49.23	24.27				73.50
Zimmerman, John & Joanne	3.10-1-7.1	2015	48.22	23.94				72.16
Zimmerman, John & Joanne	3.10-1-7.1	2016	48.24	23.88				72.12
Lopez, Antonio & Dianna	26.-1-31	2016	253.41	111.07	413.61			778.09
TOTALS								
			18,400.04	5,705.31	18,505.99	1,745.41	18,253.42	62,610.17

Grand Total = \$ 62,610.17

Moved, Johnson; second, DeFilipps.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 423-1216

AUTHORIZING LEVYING CHARGE BACKS

WHEREAS, the County Treasurer has reported to this Legislature that she has charged the several towns of Orleans County for erroneous and refunded taxes; be it

RESOLVED, that this Legislature authorizes the following amounts to be levied against the respective towns:

TOWN	OUTSIDE	INSIDE
Albion		
Barre		
Carlton	\$2,616.33	
Clarendon	643.19	
Gaines		
Kendall		
Murray		2,015.55
Ridgeway		
Shelby	247.08	
Yates	183.16	

Total amount charged to Towns: \$ 5,705.31

Moved, Johnson; second, DeFilipps.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 424-1216

APPROVING CHARGE BACKS TO TOWNS FOR DATA MANAGEMENT SERVICES, USER FEES, TAX BILLS, AND RATE AND MAP FILES

RESOLVED, that this Legislature authorizes charge backs for Data Management Services, user fees, tax bills, and rate and map files to be levied on to the 2017 taxes, as follows:

CHARGEBACKS TO TOWNS FOR 2016

TOWN		NO. OF PARCELS	Real Property	Tax Collector User Fees	RATE & MAP Files	RPS User Fees	Total	Total Town
Albion	Inside	1603	2003.75				2,003.75	
	Outside	948	1185.00		150.00	1277.00	2,612.00	4,615.75
Barre		1408	1760.00	216.96	150.00	1227.00	3,353.96	3,353.96
Carlton		2450	3062.50	98.52	150.00	1595.00	4,906.02	4,906.02
Clarendon		1787	2233.75	214.44	150.00	1288.00	3,886.19	3,886.19
Gaines	Inside	235	293.75				293.75	0
	Outside	1043	1303.75		150.00	640.00	2,093.75	2,387.50
Kendall		1684	2105.00		150.00	1271.00	3,526.00	3,526.00
Murray	Inside	688	860.00	23.76			883.76	0

	Outside	1424	1780.00	48.84	150.00	1540.00	3,518.84	4,402.60
Ridgeway	Inside	1396	1745.00				1,745.00	0
	Outside	1761	2201.25		150.00	1809.00	4,160.25	5,905.25
Shelby	Inside	957	1196.25				1,196.25	0
	Outside	1355	1693.75		150.00	1,572.00	3,415.75	4,612.00
Yates	Inside	384	480.00				480.00	0
	Outside	1361	1701.25		150.00	1281.00	3,132.25	3,612.25
Totals		20,484	25605.00	604.80	1,500.00	13,500.00	41,207.52	41,207.52

Moved, Johnson; second, DeFilipps.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 425-1216

SETTING UNIT CHARGE FOR 2017 COUNTY SOLID WASTE/RECYCLING PROGRAM

RESOLVED, that this Legislature sets the unit charge for the 2017 County Solid Waste/Recycling Program at the following rate:

One unit of Service	\$ 205.00
One-half unit of Service	\$ 102.50

and, be it

FURTHER RESOLVED, that an Administrative Fee of \$2.00 shall be added to each unit of service, and a \$1.00 fee to each half unit of service.

Moved, DeRoller; second, Allport.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 426-1216

APPROVING ABSTRACT OF 2017 SOLID WASTE/RECYCLING PROGRAM FEES

RESOLVED, that the Abstract of 2017 Recycling - Solid Waste Program Fees, as prepared by the Clerk, be, and hereby is, approved by this Legislature as follows:

Town	No. of Units	*Cost Per Unit	Total to be Collected
Albion	2,100.00	\$207.00	434,700.00
Barre	778.50	207.00	161,149.50
Carlton	1,571.00	207.00	325,197.00
Clarendon	1,087.50	207.00	225,112.50
Gaines	1,073.50	207.00	222,214.50
Kendall	1,128.50	207.00	233,599.50
Murray	1,592.00	207.00	329,544.00
Ridgeway	2,506.00	207.00	518,742.00
Shelby	1715.50	207.00	355,108.50
Yates	1163.50	207.00	240,844.50

Totals	14,716.00		3,046,212.00
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*Includes \$2.00 Administrative charge per unit.

Moved, DeRoller; second, Allport.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 427-1216

APPROVING ABSTRACTS OF TAX ROLLS

RESOLVED, that the Abstract of Taxes, as prepared by the Clerk, they being Abstract of Tax Rolls (1) Assessments, Tax Rates and Levies; (2) Amount and Purpose of Taxes for Town Expenditure; (3) Amount and Purpose of Taxes for County Expenditure and all other matters therein contained, be and hereby are, adopted by this Legislature and that the several items of taxes and levies set forth be levied upon respective tax districts of the county and be fixed as the tax rates for the extension of taxes in such districts.

Moved, Johnson; second, DeFilipps.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 428-1216

APPROVING COMPLETED TAX ROLLS AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS

WHEREAS, upon the tax rolls of the several Towns the several taxes have been duly extended as provided by law; it is

RESOLVED, that the tax rolls be approved as so completed, and that the taxes so extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and it is

FURTHER RESOLVED, that there be annexed to each of said rolls, a tax warrant under seal of the Legislative Body in the form prepared by the Clerk as provided by Section 904 of the Real Property Tax Law; that such warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; and that said rolls with said warrants annexed are to be forthwith delivered to the respective collectors of the several tax districts of the County.

Moved, Johnson; second, DeFilipps.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 429-1216

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-Annual Mortgage Tax Report showing the amounts to be credited to each Tax District of Orleans County, of the money collected during the preceding six months ending September 30, 2016; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

**Mortgage Tax Apportionment
April 1, 2016 through September 30, 2016**

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village share	Town share
Albion	217,421,263	434,842,526	118,559,880	27.27%	16,264.50	4,434.52	11,829.98
Barre	97,995,266				9,294.98		9,294.98
Carlton	204,910,413				26,356.97		26,356.97
Clarendon	160,421,773				13,225.63		13,225.63
Gaines	125,144,736	250,289,472	23,215,047	9.28%	10,504.29	974.30	9,529.99
Kendall	156,445,691				17,978.08		17,978.08
Murray	180,983,038	361,966,076	53,218,231	14.70%	16,864.14	2,479.46	14,384.68
Ridgeway	220,568,369	441,136,738	90,924,668	20.61%	21,916.56	4,517.32	17,399.24
Shelby	182,697,365	365,394,730	73,404,147	20.09%	19,912.11	4,000.14	15,911.97
Yates	<u>152,513,838</u>	305,027,676	<u>29,039,266</u>	9.52%	14,798.03	1,408.80	13,389.23
Total	1,652,760,623				167,115.29	17,814.54	149,300.75

Moved, Johnson; second, DeFilipps.
Adopted. 7 ayes; 0 nays; 0 absent.

With there being no further business, Legislator Allport moved to adjourn; second by Legislator DeFilipps.
Meeting adjourned at 9:38 a.m.