

**TOWN OF FORESTPORT
REGULAR TOWN BOARD MEETING MINUTES
FORESTPORT TOWN HALL
10275 State Rte. 28, Forestport, N.Y. 13338
January 18, 2023**

PRESENT: Supervisor Entwistle
Councilwoman Kardash
Councilwoman Verschneider
Councilman Scouten
Councilwoman Abrial

ABSENT: No members of the Town Board were absent.

RECORDING SECRETARY: Tracy Terry, Town Clerk

CALL TO ORDER

The meeting was called to order at 6:37 PM by Supervisor Entwistle.

BUDGET AMENDMENTS:

General: A motion was made by Councilwoman Verschneider and seconded by Councilwoman Kardash to approve the following General Budget Amendments
5 ayes/ 0 nays/ 0 absent MOTION CARRIED

TO: Town of Forestport Town Board Members
FROM: Dawn Campbell

FUND: **General**

SUBJECT: Budget Amendment Year End

Transfer to cover overdraft in Bookkeeper PS

Entries:

Transfer	from	13104.01 Bookkeeper CE	\$23.06
	to	13101.01 Bookkeeper PS	\$23.06

Transfer to cover overdraft in Building PS

Entries:

Transfer	from	19904.01 Contingency	\$326.73
	to	16201.01 Buildings PS	\$326.73

Transfer to cover overdraft in Buildings CE

Entries:

Transfer	from	19904.01 Contingency	\$5,436.93
	to	16204.01 Building CE	\$5,436.93

Transfer to cover overdraft in Highway Garage Bldg CE

Entries:

Transfer	from	19904.01 Contingency	\$1,511.76
	to	51324.01 Highway Garage Bldg CE	\$1,511.76

Transfer to cover overdraft in Social Security

Entries:

Transfer	from	90108.01 State Retirement	\$187.04
	to	90308.01 Social Security	\$187.04

Done 12/29/22

Highway: A motion was made by Councilman Scouten and seconded by Councilwoman Kardash to approve the following Highway Budget Amendments
5 ayes/ 0 nays/ 0 absent MOTION CARRIED

TO: Town of Forestport Town Board Members
FROM: Dawn Campbell

FUND: Highway

SUBJECT: Budget Amendment Year End

Transfer to cover overdraft in Highwat Admin PS

Entries:

Transfer	from	50104.03 Hwy Admin CE	\$5.45
	to	50101.03 Hwy Admin PS	\$5.45

Transfer to cover overdraft in Machinery CE

Entries:

Transfer	from	51302.03 Machinery EQ	\$1,602.21
	to	51304.03 Machinery CE	\$1,602.21

Transfer to cover overdraft in Snow Removal CE

Entries:

Transfer	from	51204.03 Bridges CE	\$863.06
	to	51424.03 Snow Removal CE	\$863.06

Done on 12/29/22

ABSTRACTS:

GENERAL:

A motion was made by Councilwoman Abrial and seconded by Councilwoman Verschneider to pay Abstract #1, Vouchers #1- #53 in the amount of \$31,289.21.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

HIGHWAY:

A motion was made by Councilman Scouten and seconded by Councilwoman Kardash to pay Abstract #1, Vouchers #1- #29 in the amount of \$75,770.74.

5 ayes/ 0 nays/0 absent MOTION CARRIED

TOWN BOARD EXCROW:

A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to pay Abstract #1, Vouchers #1- #2 in the amount of \$100.00

5 ayes/ 0 nays/0 absent MOTION CARRIED

Fire:

A motion was made by Councilwoman Kardash and seconded by Councilwoman Verschneider to pay

Forestport: Abstract #1, Voucher #1 in the amount of \$88,759.50

Otter Lake: Abstract #1, Voucher #2 in the amount of \$72,434.00

Woodgate: Abstract #1, Voucher #3 in the amount of \$73,593.50

5 ayes/ 0 nays/0 absent MOTION CARRIED

TOWN CLERK MINUTES:

A motion was made by Councilwoman Kardash and seconded by Councilman Scouten to accept the minutes from the:

Town Board Regular Meeting- December 21, 2022

Area Variance Hearing: Compoli- December 21, 2022

Year End Meeting- December 29, 2022

Organizational Meeting- January 3, 2023

5 ayes/ 0 nays//0 absent MOTION CARRIED

REPORTS

TOWN CLERK REPORT

JUSTICE REPORT

PLANNING REPORT

DOG REPORT

SUPERVISOR REPORT

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Abrial to approve the reports as a whole.

5 ayes/ 0 nays/0 absent MOTION CARRIED

NOCCOG:

Lisa Bellinger, of NOCCOG went over the announcements.

OLD BUSINESS BOARD:

- **Lifetime Benefit Solutions:** All the Highway workers are enrolled, and they should be receiving their cards momentarily.
- **Kraeger Variance:** Supervisor Entwistle went over the five factors for a variance.

VARIANCE EV NK
Factors considered

1. Whether undesirables change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting of the variance:
_____ YES NO

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a Variance:
_____ YES NO

3. Whether the requested Variance is substantial:
_____ YES NO

4. Whether the requested variance will have an adverse effect or impact on that physical or environmental conditions in the neighborhood or district:
_____ YES NO

5. Whether the alleged difficulty is self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily not necessarily preclude the granting of the Variance:
_____ YES NO

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Kardash to approve the Kraeger variance.

5 ayes/ 0 nays/0 absent MOTION CARRIED

- **Beechwood Cemetery:** Supervisor explained the Beechwood Cemetery Association Board is down to one surviving member. The Town Board is helping them create a new Board, so it does not become an abandoned cemetery which the Town would have to take over.. There is a public meeting for lot owners on February 15, 2023, at 6:00P.M. Supervisor Entwistle is accepting nominations until February 10th by mail or email. If there are not enough lot owners to vote, the Town Board will appoint the Trustees for the first year.
- **Master Plan:** The Town has received the signed contract from the Department of State. The Master Plan Committee will be choosing a Consulting Company for marketing for every property owner, not just residents. Supervisor Entwistle stated the key piece is making sure everyone responds. As they move along with the Master Plan process, there will be informational meetings for the public. The Town has received a \$30,000 grant towards consultants and mailings.

NEW BUSINESS BOARD:

- **Forestport Fire Cancer Insurance:** Supervisor Entwistle read a letter aloud from Mr. Schuler asking the town to cover half of their cancer insurance in the amount of \$720.00.

A motion was made by Councilman Scouten and seconded by Councilwoman Verschneider to pay half of the Forestport Fire Cancer insurance in the amount of \$720.00.

5 ayes/ 0 nays/0 absent MOTION CARRIED

- **Planning Board Vacancy:** There is an ad advertised in the Boonville Herald for a Planning Board seat. The deadline is February 6th. Supervisor Entwistle has received two applications.
- **SRL/Fee Schedule Updates:** Supervisor Entwistle stated there is a minor change to the fee schedule that he is in discussion with the Planning Board about.
- **Local Law:** There is a State Law to provide a tax exemption to Firefighters and Ambulance workers. Supervisor Entwistle went over the stipulations. Someone from the gallery asked if they have an irrevocable trust if they are eligible. Another question asked was, if they get the tax credit, can they also receive the tax exemption. Supervisor Entwistle will be asking the Attorney.

Local Law No. 1 of 2023
A Local Law Repealing Local Law No. 1 of 2005 and
Enacting a Property Tax Exemption
for Volunteer Firefighters and Ambulance Workers
Pursuant to Section 466-1 of the Real Property Tax Law
of the Code of Town of Forestport

Section 1. Local Law No. 1 of 2023 of the Code of the Town of Forestport, entitled “Volunteer Firefighters and Ambulance Workers Exemption”, is hereby enacted pursuant to Real Property Tax Law Section 466-a, to read as follows:

Volunteer Firefighters and Ambulance Workers Exemption

Grant of Exemption.

An exemption of 10% of assessed value of property owned by an enrolled member as set forth below, or such enrolled member and their spouse, is hereby granted from taxation with respect to the real property taxes of Town of Forestport as long as eligibility requirements are met.

Eligibility Requirements.

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provider that:

- A.** The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B.** The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C.** The property is used exclusively for residential purposes;
- D.** The volunteer firefighter or volunteer ambulance worker resides in the Town of Forestport and the Town of Forestport is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance services;
- E.** The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- F.** The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by the Town of Forestport which is hereby established as 5 years.

Application.

A volunteer firefighter or volunteer ambulance worker must annually, on or before the applicable taxable status date, file an application for such property tax exemption with the assessor responsible for preparing the assessment roll for the Town of Forestport, on a form as prescribed by the New York State Commissioner of Taxation and Finance. The Town of Forestport must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.

Certification.

The volunteer fire and volunteer ambulance department must annually file with the assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable tax status date, the number of years of service served by each such enrolled member and such enrolled member’s address of residence.

No diminution of benefits.

An applicant who is receiving any benefit pursuant to Article 4 of the Real Property Tax Law as of the effective date of this article shall not have any of those benefits diminished because of this article.

Grant of lifetime exemption.

Any eligible enrolled member who accrues more than 20 years of active volunteer service (as certified by the authority having jurisdiction) shall be granted the 10% exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located within the Town of Forestport.

Un-remarried spouse of enrolled member killed in the line of duty.

The un-remarried surviving spouse of a deceased enrolled member killed in the line of duty, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 5 years and had been receiving the exemption at the time of his or her death.

Un-remarried spouse of deceased enrolled member.

The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction, is qualified to continue to receive an exemption, as long as the deceased volunteer had been an enrolled member for at least 20 years and the deceased volunteer and un-remarried spouse had been receiving the exemption at the time of his or her death.

Section 2. This Local Law shall repeal a Resolution, dated March 13, 2006, regarding exemption, and replace it with this Local Law.

Section 3. If any clause, sentence, paragraph, section or part of this Local Law is declared by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to said clause, sentence, paragraph, section or part of this Local Law.

Section 4. This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Municipal Home Rule Law Section 27.

A motion was made by Councilman Scouten and seconded by Councilwoman Kardash to schedule a Public Hearing regarding Local Law #1 of 2023, on March 15, 2023, at 6:15P.M.

5 ayes/ 0 nays/0 absent MOTION CARRIED

- **James Allison:** Mr. Allison came to the Town Board in the Spring of last year for an area variance. The Town Board granted the variance and it was contested due to issues on the town's end, and the variance was voided.

A motion was made by Councilwoman Kardash and seconded by Councilwoman Verschneider to schedule an Area Variance Hearing for James Allison, February 15, 2023, at 6:15P.M.

5 ayes/ 0 nays/0 absent MOTION CARRIED

NEW BUSINESS PUBLIC:

- **Trackside Blazers:** Ron Davies, President of Trackside Blazers gave a printout of the counters for December, which has the number of snowmobilers. Supervisor Entwistle stated it will help when they are applying for grants.
- A woman from the gallery stated she and her husband are on the corner of North Lake Road and Kincaid Road and Tony suggested she attend the Board meeting to ask permission to have chickens and pigs with a farmstand. Supervisor Entwistle

told her she would have to follow Cornell's guidelines and there would need to be fencing. If it is a little stand on the honor system, there are no issues.

ADJOURNMENT:

A motion was made by Councilwoman Abrial and seconded by Councilwoman Kardash to adjourn the meeting.

5 ayes/ 0 nays/0 absent MOTION CARRIED

There being no further business, the meeting was adjourned at 7:01 pm by Supervisor Entwistle.

Respectfully submitted,

Tracy M. Terry

Forestport Town Clerk