

**TOWN OF FORESTPORT
REGULAR TOWN BOARD MEETING MINUTES
FORESTPORT TOWN HALL
10275 State Rte. 28, Forestport, N.Y. 13338
March 15, 2023 @6:30**

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

ABSTRACTS:

WATER DISTRICT #1:

A motion was made by Councilwoman Kardash and seconded by Councilman Scouten to pay Abstract #3, Vouchers #34- #48 in the amount of \$1,740.89.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

BUCKHORN WATER:

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Abrial to pay Abstract #3, Vouchers #7- #9 in the amount of \$207.92.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

SEWER DISTRICT #1:

A motion was made by Councilman Scouten and seconded by Councilwoman Kardash to pay Abstract #3, Vouchers #23- #30 in the amount of \$10,836.48.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

- \$10,000.00 is for the Sewer project.

GENERAL:

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Kardash to pay Abstract #3, Vouchers #116- #160 in the amount of \$36,643.29.

5 ayes/ 0 nays/ 0 absent MOTION CARRIED

HIGHWAY:

A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to pay Abstract #3, Vouchers #58- #98 in the amount of \$26,989.03.

5 ayes/ 0 nays/0 absent MOTION CARRIED

TOWN BOARD ESCROW:

A motion was made by Councilwoman Verschneider and seconded by Councilwoman Kardash to pay Abstract #3, Vouchers #5- #6 in the amount of \$100.00.

5 ayes/ 0 nays/0 absent MOTION CARRIED

AMBULANCE ABSTRACTS:

Old Forge:

Abstract #3, Voucher #1 in the amount of \$28,500.00.

STaR:

Abstract #3, Voucher# 2 in the amount of \$56,250.00.

A motion was made by Councilman Scouten and seconded by Councilwoman Abrial to pay Vouchers #1-#2.

5 ayes/ 0 nays/0 absent MOTION CARRIED

TOWN CLERK MINUTES:

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

Town Board Regular Meeting- February 15, 2023

Area Variance Hearing: Allison- February 15, 2023

5 ayes/ 0 nays//0 absent MOTION CARRIED

REPORTS

WATER

SEWER

TOWN CLERK REPORT

JUSTICE REPORT

PLANNING REPORT

DOG REPORT

SUPERVISOR REPORT

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

5 ayes/ 0 nays/0 absent MOTION CARRIED

NOCCOG:

Lisa Bellinger, of NOCCOG went over the monthly announcements.

OLD BUSINESS BOARD:

NEW BUSINESS BOARD:

- **Water Year-End Report:** This has been completed and should be available shortly and will be on the website.

- **Water Operator** – Lucas Kafka is the new Head Water and Sewer Operator and will be taking over for Ted Daktor. He is currently working for the Sewer Department in the Village of Boonville Full time.
- **Buckhorn Water releases from property owners-** They are currently in the process of receiving the releases. There are approximately twenty more that need to be returned.
- **Sewer Project Update-** Supervisor Entwistle and Jim were able to look at the plans. There will be a new generator, all 4 sewer beds will be changed. Two beds will be absorption beds and 2 pressure dosing beds for the wintertime. The pressure dosing beds push the effluent into the beds below ground level so the frozen ground on top doesn't affect leaching. A couple new wet wells. Construction is slated to start late Summer, early Fall of this coming year. Anne Pelnó, from the Gallery asked what the drilling was for. Supervisor Entwistle stated they had to do core samples, so when they dig, they are not hitting bedrock quickly.
- **Sewer- Replacement of Lift Station pumps-** There are two lift stations one on Dutch Hill and another one behind the Sewer Plant. Each has a couple pumps that pump sewer from homes that are lower than the sewer plant to the sewer plant. Both pumps have been there quite a while and one pump in each station needs to be replaced. The good ones are pumping 70-80 gallons/minute and the bad ones are pumping 25 gallons/minute. Supervisor Entwistle has reached out to Gormann Rupp and they have given a basic estimate. Jim and Supervisor Entwistle will meet with the sales rep when the snow melts because the Town has some parts and pieces to pumps that have been rebuilt. Supervisor Entwistle has also reached out to the Environmental Facilities Corp., and they are doing another round of wastewater sewer funding. Applications for the grant are due Mid-June.
- **James Allison Variance-** Supervisor Entwistle spoke with Mr. Allison after the Public Hearing last month, stating he would be speaking with the Tughill Planning Commission and the Association of Towns. There was legal action taken against the Town last May after it was initially approved. The variance was overturned because a critical piece of paperwork was not done. The Tughill Planning Commission and the Association of Towns thought it was substantial and being overturned was reasonable.

A motion was made by Councilman Scouten and seconded by Councilwoman Kardash to deny the Allison Variance.

5 ayes/ 0 nays/0 absent MOTION CARRIED

- **Summer Recreation-** Supervisor Entwistle and Councilwoman Verschneider have been discussing the possibility of a Summer Recreation on a limited basis and he has spoken with Ash Galligan. Ash has done some yoga and art classes at the Town Hall. She currently works at the Elementary school and is willing to run a program for the Town and will put a curriculum together, 3 days a week from

9am-12pm, ages 7-12. Councilwoman Kardash stated a head count should be done first to make sure there are enough children interested. Supervisor Entwistle wants to advertise with a deadline of the end of April. If there is a lot of interest there may need to be two assistants. Councilwoman Verschneider asked what about the grandkids. Supervisor Entwistle said they follow the Town website fairly good. Snacks were discussed. One of the waivers is there will be no riding the bike or walking to the program. Ash will be paid \$20/hour and the Assistant \$16-\$18/hour.

- **Camp Nazareth-** In light of the Summer Recreation Program, the Town will be limiting the sponsorship to 16 children and asking the parents to contribute \$50.00. Councilwoman Kardash stated the priority should be given to the residents' kids and then the grandparents' kids. Supervisor Entwistle suggested having applications open to resident kids for 3 weeks and then if there are slots leftover, open it up to seasonal residents.
- **Local Law #1 of 2023: Property Tax Exemption for Volunteer Firefighters and Ambulance Workers-** Carl, from the Gallery asked if there are minimum requirements to apply for it. Supervisor Entwistle went over the eligibility requirements.

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 for 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 Councilwoman Kardash and seconded by Councilwoman Verschneider to pass Local Law #1 of 2023.
5 ayes/ 0 nays/0 absent MOTION CARRIED

- **Local Law #2 of 2023: Exemption on Town taxes based on income for residents over the age of 65-**

**LOCAL LAW #2 FOR THE YEAR 2023, TOWN OF FORESTPORT
GRANTING EXEMPTION ON TOWN TAXES BASED ON LIMITED INCOME
FOR RESIDENTS OVER THE AGE OF 65.**

WHEREAS Section 467 of The Real Property Tax Law allows for the granting of an exemption on Town taxes based on limited income for residents over the age of 65; and

WHEREAS the limit has not been changed since February 2012.

NOW, THEREFORE be it enacted that the Town of Forestport shall grant an exemption on Town property taxes for individuals owning real property in the Town who are over the ages of 65 as of the taxable status date. This exemption shall be as follows:

WHEREAS, If the property owners income is \$29,500.00 or less, there shall be a 50% reduction in Town property taxes;

WHEREAS, If the property owners income is more than \$ 29,500.00 but less than \$30,500.00, there shall be a 45% reduction in Town property taxes;

WHEREAS, If the property owners income is \$ 30,500.00 or more, but less than \$31,500.00, there shall be a 40% reduction in Town property taxes;

WHEREAS, If the property owners income is \$ 31,500.00 or more, but less than \$32,500.00, there shall be a 35% reduction in Town property taxes;

WHEREAS, If the property owners income is at least \$ 32,500.00 or more, but less than \$33,400.00, there shall be a 30% reduction in Town property taxes;

WHEREAS, If the property owners income is \$ 33,400.00 or more, but less than \$34,300.00, there shall be a 25% reduction in Town property taxes;

WHEREAS, If the property owners income is \$ 34,300.00 or more, but less than \$35,200.00, there shall be a 20% reduction in Town property taxes;

WHEREAS, If the property owners income is \$ 35,200.00 or more, but less than \$36,100.00, there shall be a 15% reduction in Town property taxes;

WHEREAS, If the property owners income is at least \$ 36,100.00 or more but less than \$37,000.00, there shall be a 10% reduction in Town property taxes;

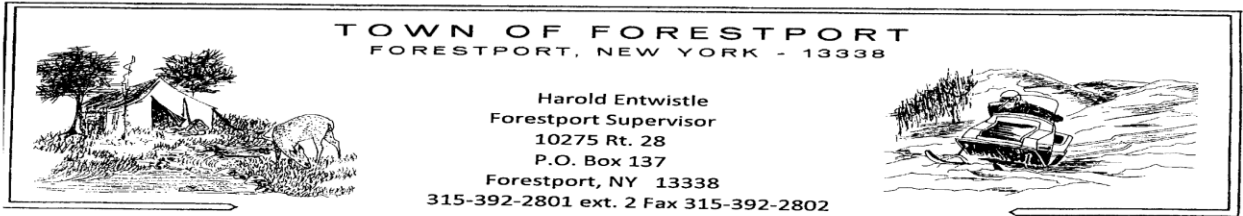
WHEREAS, If the property owners income is \$ 37,000.00 or more, but less than \$37,900.00, there shall be a 5% reduction in Town property taxes.

Dated January 31, 2023

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A motion was made by Councilwoman Verschneider and seconded by Councilman Scouten to approve Local Law #2 of 2023.
5 ayes/ 0 nays/0 absent MOTION CARRIED

- **Planning Board of Appeals-** A Public Hearing was scheduled at last month's Town Board Meeting for April 19, 2023, at 6:15 P.M. This will be a 3-member board that will review and rule on variance applications denied by the Planning Board. It is a paid position. The proposed Local Law is as follows:



Local Law No. 3 for 2023

An Amendment to Local Law No. 1 of 1986 – Town of Forestport Site Review Law

Be it enacted by the Town Board of the Town of Forestport as follows:

Section 1 Legislative Intent

It is the intent of this local law to create a "Planning Board of Appeals" for the purpose of reviewing and having final authority on use and area variances as defined in New York State Town Law as well as the Town of Forestport Site Review and Subdivision Laws.

Section 2 Authority

This local law is adopted pursuant to New York State Town Law Section 267 which authorizes the Town Board to adopt a local law empowering a Board of Appeals.

Section 3 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 of judgement 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 judgement or order shall be rendered.

Section 4 Effective date

This law shall take effect immediately upon filing with the Secretary of State

- **Update to NYS Codes Law-** The proposed Local Law is attached to the minutes.

A motion was made by Councilman Scouten and seconded by Councilwoman Verschneider to schedule a Public Hearing April 19, 2023, at 6:00P.M.

5 ayes/ 0 nays/0 absent MOTION CARRIED

- **Groomer-** This is tabled until next month.
- **White Lake Block Party- June 3, 2023, 10am-10pm and "Old Forestport Days", August 26, 2023-**
A motion was made by Councilman Scouten and seconded by Councilwoman Abrial to schedule a Public Hearing on April 19, 2023, at 5:45P.M. for the White Lake Inn Block party and "Old Forestport Days".

5 ayes/ 0 nays/0 absent MOTION CARRIED

- **Master Plan Update-** The Master Plan Committee Meeting was cancelled Tuesday night, due to the weather and they are waiting for proposals from

consultant firms. One proposal came in last month, one will be ready by the end of the month and the other one said their workload is too large to do it this year. Supervisor Entwistle stated he will be looking for another company. Once the proposals are together, they will schedule another meeting.

- **Alder Creek Solar Project Update-** Supervisor Entwistle received a letter from David Holly, the Representative of Alder Creek Solar, stating the timeline has shifted. They are waiting on an agreement, and they must enter a later class year of 2025 and operation date of 2027 or 2028. Things are currently on hold.
- **Unpaid internship-** Haakon Knudsen is currently in the process of applying to colleges and is looking for a meaningful internship. Currently there is a Sewer project grant, Bridge grant and Master Plan grant. Supervisor Entwistle is in the process of applying for another grant to change the sewer pumps. Once the grant money is received, complicated paperwork needs to be filled out. He is looking for Haakon to assist him and Jennifer in going through the emails, paperwork, and phone calls. Haakon would be set up in his own office, with a Town email address and keys. There is a small budget in the Master Plan Grant for clerical work, so he may receive some of that.
- **Bids for concrete at the Town Hall-** Councilwoman Verschneider asked if they were looking for bids to do the concrete work. Supervisor Entwistle stated they were and asked if she would like to solicit the bids and she answered she would. Anne Perno, from the Gallery asked if they were putting concrete around the whole building. Supervisor Entwistle stated they would like to put a curb cut on the side of the building so you can drive up and park. The long-term plan, if they can get a grant is to eventually have a paved rear entrance for the court. Councilwoman Kardash stated they could have a something to lock up the court area because the building is used frequently. Supervisor Entwistle stated he would like to fix the lock on the side door.

NEW BUSINESS PUBLIC:

ADJOURNMENT:

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

5 ayes/ 0 nays/0 absent MOTION CARRIED

There being no further business, the meeting was adjourned at 7:10 pm by Supervisor Entwistle.

Respectfully submitted,

Tracy M. Terry

Forestport Town Clerk