

## Public Hearing & Regular Meeting November 7<sup>th</sup>, 2024

The Public Hearing and Regular Meeting was held on Thursday November 7<sup>th</sup>, 2024 at 7:00<sub>pm</sub> in the Boardroom at Havana Glen

**Present:** David Scott – Town Supervisor  
Donna Taber – Councilperson  
Robert Simpson – Councilperson  
Brian Stamp – Councilperson  
Michael Croft – Highway Superintendent  
Gloria Stigers – Town Clerk

**Absent:** Breana Yessman – Councilperson  
Richard Carroll – Building Inspector III

**Others:** None

**Pledge of Allegiance:** Supervisor Scott invited everyone present to stand and join in the saying of the Pledge of Allegiance at 7:00<sub>pm</sub>

### Public Hearing

The Public Hearing was advertised in the Review & Express on publish dates 10/30/24 and 11/6/24. It was also posted on the Town's Website at [www.townofmontourny.com](http://www.townofmontourny.com)

The intended purpose of this meeting was to hear public comments regarding a Local Law to Override the Tax Cap for Fiscal Year 2025.

There were no public comments.

### **Resolution #55**

#### CLOSE PUBLIC HEARING & ENTER INTO NEXT PORTION OF PUBLIC HEARING

On motion of Councilperson Simpson, seconded by Councilperson Taber, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that the Public Hearing regarding the Local Law for the Tax Cap Override for FY 2025 be closed and the Board enter into the next Public Hearing at 7:09<sub>pm</sub>

### Public Hearing

The Public Hearing was advertised in the Review & Express on publish dates 10/30/24 and 11/6/24. It was also posted on the Town's Website at [www.townofmontourny.com](http://www.townofmontourny.com)

The intended purpose of this meeting was to hear public comments regarding the Preliminary Budget for Fiscal Year 2025, as well as, any comments regarding the Fire Contracts and proposed salaries for Elected Officials.

There were no public comments.

### **Resolution #56**

#### CLOSE PUBLIC HEARING & ENTER INTO REGULAR MEETING

On motion of Councilperson Taber, seconded by Councilperson Simpson, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that the Public Hearing regarding the Preliminary Budget for FY2025 be closed and the Board enter into the Regular Board Meeting at 7:10<sub>pm</sub>

## Regular Meeting – November 7<sup>th</sup>, 2024

The same people in attendance for the Public Hearing were also present for the Regular Board Meeting

### **Resolution #57**

#### READING OF MINUTES

On motion of Councilperson Taber, seconded by Councilperson Simpson, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that the minutes from October 8<sup>th</sup>, 2024 board meeting, as well as, the minutes from both meetings for the Odessa Fire Department be accepted as read

### **Resolution #58**

#### PAYMENT OF BILLS

On motion of Councilperson Simpson, seconded by Councilperson Stamp, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that, after proper audit, Abstract #011 be paid in the following manner:

- General: \$22,121.<sup>04</sup>
- Highway: \$12,001.<sup>59</sup>
- Trust & Agency: \$1,308.<sup>39</sup>

**Guest(s):** None

### **Report of Town Officials and Committee Members:**

HIGHWAY: Superintendent Croft informed the Board that we have received our new 10-wheeler Western Star and that we just need to pick up our plow and wing now. The Park and the camper have been winterized and they are working on getting the leaves picked up now. They are getting the trucks ready for winter weather and the Volvo will be used until Jesse and the new 10-wheeler are ready to be used. Superintendent Croft also informed the Board that he attended a Superintendent training.

SUPERVISOR: Supervisor Scott had his report for October 2024 ready for the Board to look over

JUSTICE: Judge Decker sent over his report for October 2024

TOWN CLERK: Gloria submitted her report for October 2024

BUILDING INSPECTOR III: Rick submitted his report for October 2024

LANDFILL: No meeting

PLANNING BOARD: Sherry submitted her minutes for October 2024

**Communications:** Received 3<sup>rd</sup> Quarter Sales Tax of \$20,400.<sup>11</sup>. Informed the Board of an AOT meeting and training if anyone is interested.

**Unfinished Business:** Received invoice from Tracey Road for Western Star in the amount of \$273,651.<sup>20</sup>.

Updated the Board and discussed where we are at with the Dog Contract and will finalize in December

### **Resolution #59**

#### BORROW FROM BANK FOR PAYMENT OF WESTERN STAR

On motion of Councilperson Stamp, seconded by Councilperson Simpson, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that Supervisor Scott be permitted to take the necessary steps in borrowing \$200,000.<sup>00</sup> with a 6% interest rate from the bank with the intentions of paying it on the Western Star invoice from Tracey Road

**New Business:** Received RFP for Park Bath House. Received contracts for Montour and Odessa Fire Department. Adopt Preliminary Budget for FY 2025

### **Resolution #60**

#### RFP FOR PARK BATH HOUSE

On motion of Councilperson Stamp, seconded by Councilperson Simpson, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that the Board accepts the proposed draft Request for Proposal (RFP) for the Park Bath House

**Resolution #61**

AGREEMENT FOR FIRE PROTECTION - MONTOUR

On motion of Councilperson Simpson, seconded by Councilperson Taber, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that the Town of Montour accepts the proposed Fire Protection Agreement from the Village of Montour Falls with the Village of Montour Falls Fire Department beginning January 1<sup>st</sup>, 2025 and ending December 31<sup>st</sup>, 2025 in the amount of \$40,621.<sup>00</sup> to be paid on or before the 1<sup>st</sup> day of April 2025

**Resolution #62**

AGREEMENT FOR FIRE PROTECTION - ODESSA

On motion of Councilperson Taber, seconded by Councilperson Stamp, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that the Town of Montour accepts the proposed three-year Contract for Fire Protection from the Village of Odessa with the Odessa Fire Department. To be paid each year on or before the 15<sup>th</sup> of February each year in the amount of:

- **2025** - \$59,996.<sup>00</sup>
- **2026** - \$65,963.<sup>00</sup>
- **2027** - \$72,560.<sup>00</sup>

**Resolution #63**

TAX CAP OVERRIDE

On motion of Councilperson Stamp, seconded by Councilperson Simpson, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that, with no public comment, the Town accepts Local Law #001 of FY 2024 regarding the Tax Cap Override for the 2025 FY budget. The Local Law reads 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 Montour, County of Schuyler, pursuant to General Municipal Law §3-c, and to allow the Town of Montour to adopt a budget for (a) town purposes, (b) fire protection districts, and (c) any other special or improvement district governed by the town board for the fiscal year 2025 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 levy limit 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 Montour, County of Schuyler, is hereby authorized to adopt a budget for the fiscal year 2025 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 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 on the controversy in which such judgement or order shall be rendered.

**Section 5. Effective Date**

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

**Resolution #64**

**ADOPTION OF THE FY 2025 BUDGET**

On motion of Councilperson Stamp, seconded by Councilperson Simpson, the following resolution was

**Adopted: Ayes – 4 Noes – 0**

**RESOLVED** that the Preliminary Budget be accepted as read as the Final Budget for FY 2025

- General Fund – Town-wide (A)
  - o Appropriations: \$407,556.00
  - o Estimated Revenue: \$68,210.00
  - o Unexpended Fund Balance: \$90,000.00
  - o Amount to be Raised by Tax: \$249,346.00
  
- General Fund – Outside (B)
  - o Appropriations: \$30,265.00
  - o Estimated Revenue: \$22,500.00
  - o Unexpended Fund Balance: \$7,765.00
  - o Amount to be Raised by Tax: \$0.00
  
- Highway Fund – Town-wide (DA)
  - o Appropriations: \$292,245.00
  - o Estimated Revenue: \$950.00
  - o Unexpended Fund Balance: \$30,000.00
  - o Amount to be Raised by Tax: \$261,295.00
  
- Highway Fund – Outside (DB)
  - o Appropriations: \$360,180.00
  - o Estimated Revenue: \$176,500.00
  - o Unexpended Fund Balance: \$50,000.00
  - o Amount to be Raised by Tax: \$133,680.00
  
- Fire Protection District #1 – Montour Falls (SF1)
  - o Appropriations: \$40,921.00
  - o Estimated Revenue: \$300.00
  - o Unexpended Fund Balance: \$
  - o Amount to be Raised by Tax: \$40,621.00
  
- Fire Protection District #2 – Odessa (SF2)
  - o Appropriations: \$60,396.00
  - o Estimated Revenue: \$400.00
  - o Unexpended Fund Balance: \$
  - o Amount to be Raised by Tax: \$59,996.00

**Havana Glen:** Up \$13,475.<sup>30</sup> from 2023

**Next Meeting:** Tuesday December 10<sup>th</sup>, 2024 at 7:00<sub>pm</sub>

**Adjourn:** On motion of Councilperson Taber, seconded by Councilperson Simpson, with all-in-favor, the meeting be adjourned at 7:57<sub>pm</sub>

Respectfully Submitted: \_\_\_\_\_ Gloria Stigers, Town Clerk