

The October 11th, 2022 Town of Tioga board meeting was brought to order at 7:00pm. Present were Councilman Robert Strong, Councilman Gerald Hyatt, Councilman Drew Griffin, Councilman Paul Welch with Supervisor Lewis Zorn presiding.

Also present were Highway Superintendent Russell Story Constable Gerald Pierce

Councilman Strong made the motion to accept the September 13th, 2022 Town Board minutes as presented, Councilman Hyatt seconded, carried.

Councilman Strong made the motion to accept the August 2nd, 2022 Planning Board minutes as presented, Councilman Welch seconded, carried.

Update from Superintendent Story:

- Insulation has been installed in the town barn.
- The replacement salt shed materials have been delivered.
- Received quotes for new trucks from Volvo out of Rochester for a July estimated delivery date for the price of \$264,112.80 and a Mack out of Syracuse for the amount of \$263,567.32. Superintendent Story's preference would be the Volvo over the Mack due to rear end design. The Freightliner the Town has on ordered isn't due for delivery till 2024.

Councilman Strong made the motion to purchase the Volvo for the amount of \$264,112.80 as long as there is an option to cancel the Freightliner if The Board chooses, Councilman Griffin seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

- Presented list to the Board on equipment to think about in the future that will need to be replaced. This list includes the 1990 Case roller that we cannot get replacement parts for any longer, the 2007 John Deere arm mower, and the 2013 Ford F250 pickup truck.
- Baker's is coming this week to work on the garage doors at the Town Barn.

Constable Pierce stated that JCAP has accepted our grant application for the metal detector and wand for the Court room.

Constable Pierce would like approval from the Board to apply for the Floyd Hooker Foundation Grant for additional playground equipment and new charcoal grills for Ransom Park.

Councilman Griffin made the motion to apply for the Floyd Hooker Foundation Grant for items for Ransom Park, Councilman Hyatt seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Constable Pierce presented The Board with a quote for a Wanco WSDT3-SPD Compact Radar Speed Trailer that is on State Bid for the amount of \$10,900 before shipping.

This speed trailer will collect data that Constable Pierce can use to determine when the best time to monitor for speeders.

Councilman Hyatt made the motion to purchase the Wanco Compact Radar Speed Trailer on State Bid for the amount of \$10,900 before shipping, Councilman Griffin seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Constable Pierce presented The Board with a quote from ElanCity to purchase four solar speed signs in the amount of \$12,800 to deter speeding in The Town. He would like to place two signs on Fifth Ave in front of the School and the additional two to be placed where The Board deems necessary.

Constable Pierce stated that Tioga County Highway Superintendent Gary Hammond did not mind The Town placing these solar speed signs up as long as The Town maintains them.

Councilman Welch made the motion to purchase four solar speed signs from ElanCity for the amount of \$12,800, Councilman Strong seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Resolution #8-2022

SCHEDULE PUBLIC HEARING ON LOCAL LAW OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

WHEREAS, the Town of Tioga wishes to enact a local law to allow the Town of Tioga to override the tax levy limit established in General Municipal Law § 3-c for the year commencing January 1, 2023; and

NOW THEREFORE upon a motion by Councilman Hyatt , seconded by Councilman Griffin and carried; therefore, be it

RESOLVED, that the Town of Tioga Town Board, County of Tioga, State of New York hereby schedules a public hearing on October 25th at 7:05 p.m. for the proposed Local Law #7-2022 to override the tax levy limit established in General Municipal law §3-c as set forth herein:

LOCAL LAW #7-2022

A LOCAL LAW OF THE TOWN OF TIOGA, NEW YORK TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-c.

Section 1. Legislative Intent.

It is the intent of this local law to allow the Town of Tioga to adopt a budget for the fiscal year commencing January 1, 2023 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 a local government's governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override.

The Town Board of the Town of Tioga, New York, County of Tioga is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2023 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

Section 4. Severability.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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 judgment or order shall be rendered.

Section 7. Effective Date.

This local law shall take effect immediately upon adoption, publication and filing with the Secretary of State.

Councilman Hyatt made the motion to schedule a public hearing on local law, #7-2022, to allow the Town of Tioga to override the tax levy limit established in General Municipal Law § 3-c for the year commencing January 1, 2023, Councilman Griffin seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Councilman Hyatt made the motion to transfer \$300,000 from the Highway Savings account to the equipment reserve equipment fund to pay for the new truck, Councilman Strong seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Councilman Welch made the motion to transfer \$100,000 to building reserve fund from General savings fund, Councilman Strong seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Land purchase for a potential new Highway Garage was discussed. The Board would like to place an ad in the paper for land to possible land to purchase that is around five acres, within Town limits and not located in a flood plain.

Councilman Hyatt made the motion to reappoint Doug Chrzanowski as Planning Board Chairman for a three year term starting January 1st, 2023, Councilman Strong seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Councilman Strong made the motion to amend the budget to accept insurance recovery from the August 4th, 2022 storm damage that occurred at The Town Hall, Councilman Griffin seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Councilman Hyatt made the motion to amend General Fund Abstract #9 to \$23,679.32 due to \$7,500 increase for garage insulation, Councilman Griffin seconded, carried.

Councilman Griffin made the motion to pay the General Fund in the amount of \$24,290.93 Councilman Welch seconded, carried.

Councilman Hyatt made the motion to pay the Highway Fund in the amount \$37,461.15, Councilman Strong seconded, carried.

Councilman Hyatt made the motion to carry the meeting over till October 25th at 7:00pm, Councilman Griffin seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Tiffany Middendorf

Tioga Town Clerk