

The Town of Tioga board meeting was continued October 25th, 2022 at 7:00pm to discuss the 2023 Tentative Budget and public hearing. Present were Councilman Robert Strong, Councilman Gerald Hyatt, Councilman Drew Griffin, Councilman Paul Welch with Supervisor Lewis Zorn presiding. Also present were Kris Morris, Highway Superintendent Russell Story and Constable Gerald Pierce.

Councilman Hyatt made the motion to close the meeting at 7:05pm and open the Public Hearing to override the Tax Cap Levy, Councilman Strong seconded, carried.

Councilman Hyatt made the motion to close the Public Hearing at 7:15pm and reopen the regular meeting, Councilman Griffin seconded, carried.

Councilman Strong made the motion to override the Tax Cap of 1.0025%, Councilman Griffin seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

RESOLUTION #10-2022

Adopt Local Law #7-2022 to override the Tax Cap Levy Est. 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

WHEREAS, Local Law #7-2022 To Override the Tax Cap Levy Limit Established in General Municipal Law 3-C, thereof in its final form having been upon the desks of members of the Town Board for at least seven (7) calendar days, exclusive of Sunday, prior to this day, and a public hearing having been held on October 25th, 2022 at 7:05 p.m. before the Town of Tioga Town Board upon public notice provided by law, and the said proposed local law having been read in its final form at this meeting; and

NOW THEREFORE upon a motion by Councilperson Strong, seconded by Councilperson Griffin and carried; therefore, be it

RESOLVED, that the Town Board of the Town of Tioga voted and approved to exceed the tax levy limit for 2023 fiscal year.

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

Councilman Griffin made the motion to override the Tax Cap Levy to 5% from the 1.0025% allowed, Councilman Strong seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Councilman Hyatt made the motion to accept the 2023 Tentative Budget with the changes discussed made to become the 2023 Preliminary Budget with Public Hearing scheduled for November 10th at 7:30pm, Councilman Griffin seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Councilman Welch made the motion to change the shoe policy for the Highway employees from \$150.00 per employee per year to \$200.00 per employee per year, retroactive to January 1st, 2022, Councilman Griffin seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Discussion on fee schedule for mobile home parks, garbage haulers and junkyards for 2023 was discussed.

Fee schedule is tabled until the November Board meeting.

Councilman Griffin made the motion to extend NY-Tioga III Solar Farm project's permit for six months at the rate of \$500.00 and provided all permit requirements are up to date, with new application process applying if continued past extension, Councilman Hyatt seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

Councilman Welch made the motion to have the Town Hall pressured washed and gutters cleaned, Councilman Hyatt seconded, carried.

Town Clerk will get estimates for this.

Councilman Strong made the motion to approve the 2023 Amended Municipal Cooperative Agreement for the Greater Tompkins County Municipal Insurance Consortium, Councilman Hyatt seconded, carried.

Roll Vote:

Councilman Strong – Aye

Councilman Welch – Aye

Councilman Hyatt – Aye

Councilman Griffin – Aye

RESOLUTION #9-2022

Approval of the 2023 Amended Municipal Cooperative Agreement for the Greater Tompkins County Municipal Health Insurance Consortium

WHEREAS, the Town of Tioga is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010) and the 2023 Amendment that provides for the operation and governance of the Consortium, and

WHEREAS, the Consortium's Board of Directors has recommended approval of the 2023 amended agreement, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by each municipal board,

RESOLVED, that the Town of Tioga approves and authorizes the Chief Executive Officer to sign the 2023 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium,

RESOLVED, further, that the Clerk of the Town of Tioga is hereby authorized to execute this Resolution to indicate its approval, transmit a copy thereof to the Board of Directors of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.

Councilman Strong made the motion to adjourn at 8:35pm, Councilman Griffin seconded, carried.

Tiffany Middendorf

Tioga Town Clerk