

Regular Monthly Meeting  
Caledonia Town Board  
August 13, 2015  
7:00 P.M.

A regular Meeting of the Town Board of the Town of Caledonia was held Thursday, August 13, 2015 at 7:00 P.M. at the Town Hall.

Supervisor Pangrazio called the meeting to order and led in the Pledge of Allegiance.

<b><u>PRESENT:</u></b>	Supervisor	Daniel Pangrazio
	Councilman	Todd Bickford
	Councilman	Mark Rothrock
	Councilman	Tim Anderson
	Town Clerk	Laurie Sattora

**ABSENT:** Councilwoman Pamela Rychlicki

**OTHERS:** Mark Schroeder Highway Superintendent, John Keenan, Jeremy Carnes, William Jones, Josh Williams, editor of the Genesee Sun, and a few residents.

**RESOLUTION 106-2015**

**JULY 16, 2015 MINUTES**

On motion of Councilman Rothrock, seconded by Councilman Bickford the following resolution was ADOPTED- Aye- Pangrazio, Bickford, Rothrock, Anderson, Absent –Rychlicki Nay-0  
RESOLVED, that the minutes of July 16, 2015, be approved as presented.

**OPEN FORUM**

No one has requested the privilege of the floor.

**ANNOUNCEMENTS/COMMUNICATIONS**

Supervisor Pangrazio reviewed the following with the Board:

- An email from Livingston County Water & Sewer regarding the preliminary construction costs for the Lowery Road water extension from the Town of York.
- FEMA Hazard Mitigation Program denial letter for grant assistance.
- Updated Livingston County Planning Department Map for County Referral Assistance.
- Letter received from NYS Assembly member Bill Nojay stating that they have moved its District Office to Pittsford.
- Letter from Livingston County Development regarding the Sign and Facade Program..
- Letter from Genesee's Village Mayor Hatheway thanking the Caledonia Fire Department for its assistance in the recent fire at Kelly's on July 29th.
- Notice from NYS Dept of Taxation and Finance that the Town of Caledonia's Equalization Rate is 100%.

**DEPARTMENTS/COMMITTEES**

**CODE ENFORCEMENT OFFICER - TOM PERKINS**

Code Enforcement Officer Tom Perkins updated the Board on recent building permits issued.

**BUILDING & GROUNDS**

Supervisor Pangrazio updated the Board on the new furnace installation and also the recent problems with the Air Conditioner.

**7:15 PM PUBLIC HEARING LOCAL LAW No. 2 FOR 2015 - TAX CAP OVERRIDE**

Supervisor Pangrazio opened the public hearing to consider Local Law No. 2 For 2015. Town Clerk Laurie Sattora read the legal notice for the Proposed Local Law No. 2 that was published in the Livingston County News. Supervisor Pangrazio reviewed the Local Law and the challenges that all municipalities are facing with increasing uncontrollable costs and reduced revenues. For the 2016 Budgets the Tax Cap is .65% not a 2 % cap as most taxpayers assume.

Supervisor Pangrazio asked the public and the board if they had any questions or comments.

**PUBLIC COMMENTS/QUESTIONS**

**Supervisor Pangrazio** stated that all departments have been extremely prudent in cutting back on expenditures. With the cost of Salt increasing by \$10 a ton, Healthcare increases projected at 16.96%, and also the NYS Retirement projected increase of 0-5% will take him over the .65% tax cap.

**Councilman Bickford** asked Supervisor Pangrazio what would the projected increase be for health care, New York State Retirement, and Salt be in terms of dollars? Supervisor Pangrazio stated that an estimate would be approximately \$20,000 for Salt, approximately \$8 - 9000.00 increase for Healthcare and approximately \$5 - 10,000.00 for New York State Retirement.

**Councilman Anderson** asked how many of the 17 towns in Livingston County would be going over the cap? Supervisor Pangrazio stated that some of the larger towns in Livingston County who receive more revenue will hopefully be able to stay within the cap but he has spoken with a few of the Towns and they also will have no choice but to go over.

**Councilman Rothrock** asked how does the Town going over the Tax Cap have an effect on the rebate check? Supervisor Pangrazio stated that it is a minimal loss for tax payers.

**Josh Williams Editor Genesee Sun** asked why the salt prices have increased so much? Supervisor Pangrazio stated that the salt prices were stable for a couple years but with operating costs increasing all Towns and Villages County wide will see the increase.

**HIGHWAY DEPARTMENT**

Highway Superintendent Mark Schroeder updated the Board on the recent projects that the Highway Department has been working on and future projects for the month.

- The Highway Department has been working for Livingston County in Avon on Rochester Street.
- Installed cross-over pipe on Lowery Road.
- The Salt Barn is full for the upcoming winter.
- The Highway Department will be working on the end of Sand Hill Road replacing the box culvert and hope to have it complete before school starts.
- Highway Superintendent Mark Schroeder will be meeting with School Superintendent Robert Molisani to discuss work on an upcoming school project that the Town Highway and Village DPW may be involved in.

**TOWN CLERK-LAURIE SATTORA**

Town Clerk Laurie Sattora submitted her monthly report to the Town Board for the month of **JULY 2015.**

**TOWN CLERK’S REPORT – JULY 2015**

Total Local Shares Remitted to Town Supervisor	<b>\$ 2,073.32</b>
Amount paid to: NYS Ag. & Markets Animal Population Control Fund	<b>\$ 91.00</b>
Amount paid to: NYS Environmental Conservation	<b>\$ 168.18</b>
Amount paid to: NYS Department of Health - Marriage Licenses	<b>\$ 22.50</b>
<b>Total State, County &amp; Local Revenues for JULY 2015:</b>	<b>\$ 2,355.00</b>

**RESOLUTION 107-2015**

**ACCEPT TOWN CLERK’S MONTHLY REPORT**

On motion of Councilman Anderson, seconded by Councilman Bickford, the following resolution was ADOPTED- Aye- Pangrazio, Rothrock, Bickford , Anderson Nay-0 Absent –Rychlicki  
RESOLVED, that the Town Clerk’s July 2015 monthly report be approved as presented.

### **CLOSE PUBLIC HEARING 7:45 P.M.**

Supervisor Pangrazio asked if anyone would like to speak on the Proposed LOCAL LAW No. 2 For 2015.

**Josh Williams** asked Supervisor Pangrazio what the dollar amount would the .7% Tax Levy increase be? Supervisor Pangrazio stated that if you take the \$730,000 tax levy from the 2015 Budget and multiply it out by the .7% tax levy increase you estimate an increase of about \$5100.00 for total increase of the tax levy, to \$735,000.00

**Jeremy Carnes** asked if Supervisor Pangrazio could review the details as to why the Town would need to go over the cap and the cause of the increase. Supervisor Pangrazio recapped the details for Mr. Carnes.

**William Jones** asked Supervisor Pangrazio if he had an idea of what percentage increase each resident would see in the Town Taxes. Supervisor Pangrazio stated that it is difficult to estimate the increase until he and the Board get further into the Budget but he and the Board will work very hard to keep the increase as low as possible.

**Councilman Rothrock** thanked those present for attending the meeting and asking questions about the Tax Cap and upcoming 2016 Budget. He stated that the Town Board is very conservative and they work very hard to keep the tax rate down. The increased mandates from Albany and uncontrollable costs make it so difficult for all municipalities that they have no choice but to go over the tax cap.

### **OLD BUSINESS**

#### **ELECTRICAL DAMAGE**

Supervisor Pangrazio and the Board discussed the most recent letter Attorney Skivington received on August 6, 2015 regarding the General Liability Release form for the electrical damage that occurred in the Town. The Board agreed that they will not move forward on this until they receive an Electrical Inspection Report.

### **NEW BUSINESS**

#### **RESOLUTION 108-2015**

##### **ADOPTION OF LOCAL LAW No. 2 FOR 2015 TAX CAP OVERRIDE**

On motion of Councilman Anderson, seconded by, Councilman Rothrock the following resolution was ADOPTED -Aye- Pangrazio, Bickford, Rothrock Nay-0 Absent -Rychlicki

RESOLVED, whereas at a meeting held on July 16, 2015 a proposed Local Law was introduced. A Local Law to override the tax levy limit established in General Municipal Law §3-c. After holding a public hearing on August 13, 2015 as required by Town Law and having complied with the requirement of notice and publication to consider such Local Law, the Town Board of the Town of Caledonia did adopt such Local Law as Local Law # 2 For The Year 2015.

#### **Section 1. Introduction and 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 Caledonia, County of Livingston pursuant to General Municipal Law §3-c, and to allow the Town of Caledonia, County of Livingston to adopt a Town Budget for the fiscal year 2016 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

The Town of Caledonia is concerned about uncertainties in the existing Tax Cap Law, including how uncertain expenditures mandated by law and uncertain expenditures and revenues controlled by the County and State interact with the Tax Cap. The Town Board is obligated to prepare a responsible budget, which meets the Town’s mandated obligations and provides beneficial services, while minimizing the tax burden on the citizens of Caledonia.

#### **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 a vote of sixty percent (60%) of the Town Board.

**Section 3. Tax Levy Limit Override.**

The Town Board of the Town of Caledonia, County of Livingston is hereby authorized to adopt a budget for the fiscal year 2016 that requires a real property tax levy in excess of the limit that is specified 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 judgment 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 judgment or order shall be rendered.

**Section 5. Effective Date.** This Local Law shall take effect immediately upon filing with the Secretary of State.

**RESOLUTION 109-2015**

**RE-CODIFY LOCAL LAW NO. 4 of 1994 AND INTRODUCE LOCAL LAW No 3 FOR 2015-**

On motion of Councilman Rothrock seconded by, Councilman Bickford the following resolution was ADOPTED -Aye- Pangrazio, Bickford, Rothrock Nay-0 Absent –Rychlicki

**WHEREAS**, the Town of Caledonia has reviewed its Code to provide an update with General Code Publishers; and

**WHEREAS**, the Town of Caledonia previously passed a Local Law regarding the regulation of Adult Entertainment Businesses as Local Law #2 of the year 1993; and

**WHEREAS**, during the publication of the present Code of the Town of Caledonia by General Code Publishers, the existence of that Local Law was missed, and Chapter One, entitled “General Provisions”, contains a provision on §1-3 that all Local Laws not contained in the Code are hereby repealed from and after the effective date of this local law; and

**WHEREAS**, the Code was re-adopted by Local Law #4 of 1994, thereby repealing the previously enacted Adult Entertainment Business Law; and

**WHEREAS**, the Town of Caledonia seeks to re-codify the Adult Entertainment Business Law to make it a part of the Code of the Town of Caledonia; and

**WHEREAS**, the Town of Caledonia seeks to add a new Chapter 33 entitled, Adult Entertainment Businesses; therefore,

**NOW, BE IT RESOLVED** that the Town of Caledonia hereby enacts the following Local Law to regulate adult entertainment businesses in the Town of Caledonia.

**RESOLUTION 110-2015**

**PUBLIC HEARING ON LOCAL LAW No. 3 FOR 2015 -SEPTEMBER 10, 2015**

On motion of Councilman Anderson seconded by Councilman Rothrock, the following resolution was ADOPTED – Aye-Pangrazio, Anderson, Rothrock, Bickford Nay – 0 Absent- Rychlicki

**RESOLVED**, that the Town of Caledonia is considering proposed Local Law No. 3 for 2015 , entitled “Adult Entertainment Businesses”. The Town of Caledonia seeks to re-codify the Adult Entertainment Business Law to make it part of the Code of the Town of Caledonia by adding a new Chapter 33, entitled “Adult Entertainment Businesses”.

**THEREFORE**, pursuant to statute the Town Board will hold a public hearing on said Local Law at 7:15 P.M. on Thursday, September 10, 2015 at the Caledonia Town Hall, 3109 Main Street, Caledonia, Livingston County New York, at which time and place all persons interested will be heard. A copy of the proposed Local Law is on file for public review at the Town Office of the Town of Caledonia during normal business hours.

**2016 BUDGET UPDATE**

Supervisor Pangrazio discussed with the Board that he is currently reviewing each line item on the Budget and is hoping to have more information on how the numbers look.

**NEW WELCOME TO CALEDONIA SIGNS**

Supervisor Pangrazio and the Board reviewed the pictures for the new Welcome to Caledonia signs. The Board all agreed that they like the Maroon signs. Once sponsors are secured to cover the cost of the signs they will then be replaced.

**REVIEW OF SUPERVISORS REPORT**

The Board Members have received via e-mail prior to the board meeting copies of the Monthly Supervisor’s Report which includes up to date Trial Balances and Budget to Actual revenues and expenditures and trial balances. All Board Members signed off on all the reports.

**AUDIT OF ABSTRACT OF PAID VOUCHERS AND TRIAL BALANCES**

The Board audited the Abstract of paid Vouchers and trial balances.

**RESOLUTION 111-2015**

**PAYMENT OF BILLS**

On motion of Councilman Rothrock, seconded by Councilwoman Anderson the following resolution was ADOPTED- Aye- Pangrazio, Rothrock, Bickford, Anderson Nay- 0 Absent- Rychlicki

RESOLVED, that the bills be paid in the following amounts:

GENERAL FUND A – Voucher #'s 214 - 226	\$ 3,340.38
HIGHWAY FUND DB – Voucher #'s 118 - 128	\$ 7,981.21
SERIAL WATER BOND INTEREST FUND - SW- Voucher # 2	\$ 245.00
GRAND TOTAL	\$ 11,566.49

On motion to adjourn by Councilman Anderson, seconded by Councilman Rothrock and carried by all, the board meeting was adjourned.

Respectfully Submitted,  
Laurie Sattora  
Town Clerk