TOWN OF RIDGEWAY TOWN BOARD MEETING MONDAY, MARCH 17, 2014

The regular board meeting was called to order by Supervisor Napoli at 7:05 P.M. at the Town Hall, Medina, NY.

Those Officers Present: Brian Napoli Supervisor

Jeffrey Toussaint Councilman
Paul Blajszczak Councilman
David Stalker Councilman
Mary Woodruff Councilwoman

Others: Mark Goheen Hwy Superintendent

Daniel Wolfe Code Enf.Officer(Abs. Exc.)

Katherine Bogan Attorney
Patricia Laszewski Assessor
Barbara J. Klatt Town Clerk

Karen Kaiser Deputy Town Clerk Gabrielle Barone

Marcia Tuohey Julie Luczak Adam Owen John A. Gebera Matt Prawel Ben McPherson Baillie Oberther James Soha Gary Williams

PLEDGE OF ALLEGIANCE

RESOLUTION NO. 43 – 3/17/14 RESOLUTION TO ACCEPT AGENDA

Offered by CouncilwomanWoodruff, who moved its adoption. Seconded by Councilman Toussaint.

Resolved to accept agenda with addition to New Business (Item I). This is a resolution to pass Local Law #1 of 2014 to override tax cap of 2015 Town of Ridgeway Budget.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 44 - 3/17/14 RESOLUTION TO APPROVE MINUTES

FROM FEBRUARY 18, 2014 PUBLIC HEARING AND TOWN BOARD MEETING

Offered by Councilman Toussaint, who moved its adoption. Seconded by Councilman Stalker.

Resolved to approve minutes from February 18, 2014 Public Hearing and Town Board Meeting.

Adopted: 5 ayes 0 nays

COMMUNICATIONS:

- A. Annual report from Erie Canalway available at the Town Hall of Ridgeway.
- B. Annual report from Orleans EDA available in lobby of Town Hall of Ridgeway.

DATE OF NEXT MEETINGS

- A. Workshop April 15, 2014, 7:00 P.M. Ridgeway Town Hall
- B. Town Board Meeting April 21, 2014- 7:00 P.M.-Ridgeway Town Hall

OLD BUSINESS

- A. Leader meeting Farm Bill discussed
- B. Knowlesville update Hwy. Superintendent, Mark Goheen, stated that he has been in contact with O.C. Soil & Water and his crew should be ready to repair ditch problem beginning this summer.

NEW BUSINESS

Thank you to County Planner, Jim Bensley, also Mary and Dan for doing an excellent job updating maps of the Town of Ridgeway.

RESOLUTION NO. 45 – 3/17/14

RESOLUTION TO APPROVE AND AUTHORIZE SUPERVISOR TO SIGN A SCHEDULED MAINTENANCE CONTRACT WITH TURNBULL HEATING AND AIR-CONDITIONING

Offered by Councilman Blajszczak, who moved its adoption. Seconded by Councilman Toussaint.

Resolved to approve and authorize Supervisor to sign a scheduled maintenance contract with Turnbull Heating and Air-Conditioning at a cost of \$555.00 yr.

Adopted: 5 ayes 0 nays

Offered by Councilman David Stalker, who moved its adoption. Seconded by Councilwoman Woodruff.

- WHEREAS, the Town of Ridgeway, New York is a picturesque and diverse town in Orleans County with a population of approximately 6534, and
- WHEREAS, Town of Ridgeway is a vibrant community with an outstanding quality of life, beautiful scenery, rich history and strong sense of community, and
- WHEREAS, Town of Ridgeway also enjoys a reputation for excellent services, including a first rate educational system, and
- WHEREAS, maintaining of the high quality of life expected by the residents of the Town of Ridgeway is of the utmost importance to this board, and
- WHEREAS, Batavia Downs Gaming and Western Region Off Track Betting Corporation are located in the City of Batavia in Genesee County, and
- WHEREAS, Orleans County is one of 15 counties in Western New York that own Western Region Off Track Betting Corporation, and
- WHEREAS, as one of the municipal "stockholders" in WROTB, Orleans County has a pro-rata financial interest in the \$69 million of net equity re-invested in WROTB's 30-plus corporately-owned branch facilities and the track and casino at Batavia Downs, and
- WHEREAS, since its inception, WROTB has generated over \$215 million in operating and surcharge revenues to the taxpayers of those participating municipalities, including Orleans County, and
- WHEREAS, the Seneca Nation has initiated a process to locate a full Las Vegas style gaming casino in the region, and
- WHEREAS, an additional casino in Western New York will place in great jeopardy the sustainability of Batavia Downs Gaming, thus negatively impacting Orleans county's financial interest and investment in WROTB, and
- WHEREAS, the Orleans County Legislature recently passed legislation opposed to the expansion of casino gaming as such and expansion would have likely lead to the

reduction or elimination of WROTB's annual payment to Orleans County, and this board does support the county's position on this issue, therefore be it

RESOLVED, that the Ridgeway Town Council does hereby join the Orleans County Legislature in opposing the location of an additional casino located in the region owned and operated by the Seneca Nation, and be it further

RESOLVED, that copies of this resolution be sent to each member of the New York State Legislature representing the Town of Ridgeway, the Governor of New York and members of the Orleans County Federal Delegation, and be it further

RESOLVED, that members of the New York State Legislature representing Town of Ridgeway, the Governor of New York and members of the Orleans County Federal Delegation be urged to join this Board in the opposition of any new proposed casino to be owned and operated by the Seneca Nation in Western New York.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 47 - 3/17/14

RESOLUTION OF SUPPORT OFFERING AN ALTERNATIVE TO THE PROPERTY TAX FREEZE THAT WILL LEAD TO PERMANENT AND HISTORIC PROPERTY TAX REDUCTIONS BY ELIMINATING THE COST OF STATE MANDATED SPENDING IMPOSED ON COUNTY PROPERTY TAXPAYERS

Offered by Councilman Toussaint, who moved its adoption. Seconded by Councilman Blajszczak.

WHEREAS, the Governor and State Legislature have prioritized property tax relief as necessary to help improve New York's economic competitiveness especially in struggling upstate areas where the high property tax burden has contributed to a loss of economic opportunity, industrial and business decline, and flat or negative population growth over the last two decades; and

WHEREAS, the Governor has proposed a two year property tax freeze in these same economically burdened areas, that includes a state financed rebate for any increase in property taxes in municipalities that stay within the state imposed property tax cap over the next two years, while also pursuing shared services or consolidation of functions with other local governments in the second year; and

WHEREAS, the proposed property tax freeze would create a new layer of tax bureaucracy and procedures with unknown costs to the taxpayers, which have not been adequately analyzed, calculated, and publicly discussed; and

WHEREAS, county government has been a strong proponent of increasing cooperation, sharing services and consolidating major governmental functions across multiple jurisdictions as highlighted in the 2013 Cornell University study, "Shared Services in New York: A Reform That Works"; and

WHEREAS, recent law changes enacted by the Governor and State Legislature to cap the growth in county Medicaid costs and the creation of another pension tier will help reduce pressure on future county property tax levy growth, especially in 2020 and beyond; and

WHEREAS, county elected leaders strongly support meaningful state and county efforts to lower the property tax burden for homeowners and businesses across the state; and

WHEREAS, the levying of county property taxes is directly linked to state mandated spending as county governments act as the state's administrative arm through the delivery and financing of state programs; and

WHEREAS, county officials believe the best way to improve new York's economic climate and competitiveness is to reduce property taxes through fundamental reform of state mandates that directly impacts the causes of high property taxes and not simply the symptoms (not just slow the rate of growth); and

WHEREAS, recognizing the need for property tax relief and consistent with the call for realignment of responsibilities between governments, aligning the cost of the state's human services programs with the government obligated to provide them will result in a historic and sustainable reduction in county property taxes and a more appropriate and equitable distribution of the cost of the state's human services programs; and

WHEREAS, the cost of paying for the state Medicaid program in a typical county (outside of New York City) equals about one half of the county property tax levy; and

WHEREAS, the benefits, scope and ultimate cost of Medicaid has been set and controlled by the State for nearly 50 years, but not fully financed with state resources, therefore transferring a significant cost burden to local property tax payers that contributes greatly to the disparity between property taxes in New York State and those in other states; and

WHEREAS, New York City tax payers also dedicate a large amount of locally raised non-property taxes to support the State Medicaid program; now therefore be it

RESOLVED, that counties find no quantifiable evidence that the property tax freeze would result in significant property tax relief, while a phased state takeover of the costs of its own mandated human services, starting with Medicaid, would provide immediate, permanent and measurable property tax reduction; and be it

FURTHER RESOLVED, the state should also provide fiscal relief to New York City for a portion of the local taxes they commit to state mandated programs; and be it

FURTHER RESOLVED, that copies of this resolution be sent to the sixty-two counties of New York State encouraging member counties to enact similar resolutions; and be it

FURTHER RESOLVED, the Clerk shall forward copies of this resolution to Governor Andrew M. Cuomo, Senator George Maziarz, Assemblyman Steven Hawley, Orleans County Towns and Villages, and all others deemed necessary and proper.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 48 - 3/17/14 RESOLUTION OF SUPPORT

REQUESTING ELECTED OFFICIALS TO HELP ADDRESS GROWING CONCERN WITH LIMITED ACCESS OF CANAL BRIDGES IN ORLEANS COUNTY

Offered by Councilman Blajszczak who moved its adoption. Seconded by Councilman Toussaint.

WHEREAS, there is a growing concern of the continued limited access of canal bridges in Orleans County as a result of several bridges being closed over the Erie Canal or having had the weight restrictions significantly lowered; and

WHEREAS, currently the Brown Street Bridge over the Erie Canal in the Village of Albion was closed by NYS Department of Transportation on July 19, 2012 due to safety concerns identified during an annual bridge inspection; and

WHEREAS, with these limitations, Orleans County is extremely concerned with the ability of emergency servicing vehicles getting across the Erie Canal to an emergency under a very critical time frame to save lives; and

WHEREAS, Orleans County has seen serious restrictions in the movement of farm equipment and implements over the canal, having no other options but to drive through our busy villages or forced to drive long distances to access their land impacting our agricultural industry; and

WHEREAS, Orleans County has also seen the closed bridges, or weight reductions, significantly hinder commercial vehicles within our County, causing them to travel extensive miles to pass over the Erie Canal on a bridge that allows their weight limit; therefore be it

RESOLVED, that the Orleans County Legislature calls upon our elected officials to help address our growing concern of limited access of canal bridges in Orleans County, even neighboring Counties across New York State by the New York State Canal Corporation and the New York State Department of Transportation hindering vital transportation through and about our county; and be it

FURTHER RESOLVED, that the Clerk of the Legislature forward this resolution to Governor Cuomo, Senator George Maziarz, Assemblyman Steve Hawley, New York State Department of Transportation, New York State Canal Corporation, New York State Department of Homeland Security and Emergency Services, New York State Farm Bureau, Orleans County Fire Departments, and all others deemed necessary and proper.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 49 – 3/17/14 RESOLUTION TO APPROVE AND

AUTHORIZE SUPERVISOR TO SIGN FORM E – WD#12 INITIAL BUDGET/

COST CERTIFICATION

Offered by Councilman Blajszczak, who moved its adoption. Seconded by Councilwoman Woodruff.

Resolved to approve and authorize Supervisor to sign Form E – for Water District #12 initial budget/cost certification.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 50 – 3/17/14 RESOLUTION TO APPROVE AGREEMENT FOR EXPENDITURES

OF HIGHWAY MONEYS

Offered by Councilwoman Toussaint, who moved its adoption. Seconded by Councilwoman Woodruff.

Resolved to approve agreement for expenditures of Highway moneys as designated.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 51 - 3/17/14 RESOLUTION TO APPROVE JUNK

YARD LICENSE RENEWALS (APRIL 1, 2014 THROUGH MARCH 31, 2015) PER RECOMMENDATION OF CODE

ENFORCEMENT OFFICER

Offered by Councilman Blajszczak, who moved its adoption.

Seconded by Councilman Toussaint.

Resolved to approve junk yard license renewals for Ridgeway Salvage, Paul Nayman owner; Dunn Auto Parts, Danny Dunn owner; Cherry Auto Wrecking, Roger Cherry owner.

Adopted: 5 ayes 0 nays

RESOLUTION NO. 52 - 3/17/14 RESOLUTION TO ACCEPT AND FILE

LOCAL LAW#1 OF 2014 TO OVERRIDE

TAX CAP OF 2015 TOWN OF

RIDGEWAY BUDGET

Offered by Councilwoman Woodruff, who moved its adoption. Seconded by Councilman Blajszczak.

Resolved to accept file Local Law #1 of 2014 to override tax cap of 2015 Town of Ridgeway budget if necessary.

Adopted: 5 ayes 0 nays

OTHER BUSINESS

A.FIRE COMPANY REPORT

B. DEPARTMENT AND COUNTY LEGISLATOR REPORT

Attorney, Kathy Bogan, will file papers with the Department of State on Local Law#1, 2014- Override Tax Cap. Also, Attorney Bogan stated that she will review zoning violations and examine fine structures of other towns in Orleans County.

Assessor, Trisha Laszewski, has processed exemptions received by March 1, 2014. She also reported that she is assessing values on closed building permits. Tenative roll will be available May 1, 2014.

Highway Superintendent, Mark Goheen, stated that overtime has somewhat subsided for his crew and they are looking forward to Spring and road repair. His workers have managed to stay healthy while trying to keep up with the snowplowing. A pile of salt still remains in the Highway barn.

C. COUNCILMAN REPORT

Councilwoman Woodruff reassured the Town Board and residents that the Town of Ridgeway website is almost completed. A total revision has been made to the site by C&H.

D. BOARD REPORTS: PLANNING, ZONING

E. RESIDENT CONCERN

Ridge Road resident, John A. Gebera, stated that there is a desperate need for speed reduction on Ridge Rd. in the location of the Amish store. Speeds exceed the 55mph that is posted.

Councilman Blajszczak told Mr. Gebera that a traffic study has been done and was told that there was no need to change the speed limit at this time. Supervisor Napoli also said that the Department of Transportation indicated that this matter will not be reviewed for two years.

All agreed something must be done to change the speed limit before a life is lost.

RESOLUTION NO. 53 – 3/17/14

RESOLUTION TO PAY BILLS

Offered by Councilman Stalker, who moved its adoption. Seconded by Councilman Blajszczak.

Resolved to pay bills as presented:

PREPAID ABSTRACT \$ 16378.46

ABSTRACT \$ 159489.89

TOTAL ABSTRACT \$ 175868.35

Adopted: 5 ayes 0 nays

ADJOURNMENT

As there was no further business to discuss, a motion was made to adjourn the meeting at 7:35 P.M.by Councilwoman Woodruff and seconded by Councilman Stalker.

Town of Ridgeway,

Barbara J. Klatt Town Clerk