

**Town of Ridgeway
Board Meeting
Monday, December 19, 2022
410 West Avenue, Medina**

| | | |
|--------------------------|-------------------|--------------------------|
| Officers Present: | Brian Napoli | Supervisor |
| | Duane Payne | Councilman |
| | Cliff Barber | Councilman |
| | Mary Woodruff | Councilwoman |
| | Jeffrey Toussaint | Councilman |
| | John Olinger | Highway Superintendent |
| | Hannah Hill | Town Clerk |
| | Jason Raduns | Code Enforcement Officer |
| | Trisha Laszewski | Assessor |

The meeting was called to order by Supervisor Napoli at 7:15 PM with the reciting of the pledge of allegiance.

**RESOLUTION NO. 96 – 12/19/2022 RESOLUTION: ACCEPT THE AGENDA FOR DECEMBER
19, 2022 MEETING**

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

Adopted: 5 Ayes 0 Nays

Resolved to accept the agenda for the December 19, 2022 Town Board meeting.

**RESOLUTION NO. 97 – 12/19/2022 RESOLUTION: ACCEPT THE MINUTES OF THE TOWN
BOARD MEETING ON NOVEMBER 21, 2022 AS
PRESENTED**

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

Adopted: 5 Ayes 0 Nays

Resolved to accept the minutes for the Town Board meeting on November 21, 2022 as presented.

COMMUNICATIONS:

- A. NYS Comptroller’s Office: 2022, 2023 audit, PILOT payments and tax cap.
- B. NYSEG and RG&E suspending late payment charges during winter (12/1/22-4/15/2023)
- C. New York Canal Corporation: Earthen Embankment Integrity Program (EEIP)
- D. Orleans County mortgage tax: \$42,120.91
- E. National Grid: utility pole maintenance

DATE OF NEXT MEETINGS:

End of Year Meeting: December 29, 2022, 2pm, Ridgeway Town Hall
Organization Meeting: January 3, 2023, 2 PM, Ridgeway Town Hall
Workshop: January 10, 2023, 7pm, Ridgeway Town Hall
Town Board Meeting: January 17, 2023, 7 PM, Ridgeway Town Hall

OLD BUSINESS:

Water District #15: no updates.

NEW BUSINESS:

RESOLUTION NO. 98 - 12/19/2022

**RESOLUTION: LOCAL LAW NO. 1 OF THE YEAR 2022:
PROVIDING A PARTIAL EXEMPTION FROM REAL
PROPERTY TAXES TO PERSONS WITH DISABILITIES
AND LIMITED INCOMES UNDER §459-c OF THE REAL
PROPERTY TAX LAW**

Offered by Councilwoman Woodruff who moved its adoption.
Seconded by Councilman Barber.

Adopted: 5 Ayes 0 Nays

Resolved to adopt Local Law #1 of 2022.

LOCAL LAW NO. 1 OF THE YEAR 2022
PROVIDING A PARTIAL EXEMPTION FROM REAL PROPERTY TAXES TO PERSONS WITH DISABILITIES AND LIMITED INCOMES UNDER §459-c OF THE REAL PROPERTY TAX LAW

Section 1: STATUTORY AUTHORITY

This local law is adopted pursuant to the provisions of the Municipal Home Rule Law and the Real Property Tax Law of the State of New York.

Section 2. PERSONS ELIGIBLE FOR EXEMPTION

Pursuant to the provisions of Section 459-c of the Real Property Tax Law, there is hereby established a partial exemption from real property taxes for real property owned by the following qualified individual(s) whose income is limited by reason of such disability, in accordance with the income schedule set forth in Section 4 below:

- (a) One or more persons with disabilities; or
- (b) By a husband, wife, or both, at least one of whom as a disability; or
- (c) By siblings, at least one of whom as a disability.

Section 3. DEFINITIONS

Sibling – a brother or sister, whether related through half blood, whole blood or adoption.

Person with a Disability – a person who has a physical or mental impairment, not due to current use of alcohol or illegal drug use, which substantially limits his/her ability to engage in one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, and who: (a) is certified to receive social security disability insurance (SSDI) or Supplemental Security Income (SSI) benefits under the Federal Social Security Act; or (b) is certified to receive Railroad Retirement Disability benefits under the Federal Railroad Retirement Act; or (c) has received a certificate from the State Commission for the Blind and Visually Handicapped stating that such person is legally blind; or (d) is certified to receive a United States Postal Service disability pension.

An award letter from the Social Security Administration or the Railroad Retirement Board, or a certificate from the State Commission for the Blind and Visually Handicapped, or an award letter from the United States Postal Service shall be submitted as proof of disability.

Section 4. INCOME SCHEDULE

The income eligibility levels for determining qualification for the partial exemption from real property taxes for persons with disabilities and limited incomes are hereby established in accordance with the following schedule:

The following income eligibility schedule for the Persons with Disabilities is as follows:

| Annual Income | Percentage of Assessed Valuation Exemption from Taxation |
|---------------------------|----------------------------------------------------------|
| \$19,000 or less | 50% |
| \$19,000.01 - \$19,999.99 | 45% |
| \$20,000.00 - \$20,999.99 | 40% |
| \$21,000.00 - \$21,999.99 | 35% |
| \$22,000.00 - \$22,899.99 | 30% |
| \$22,900.00 - \$23,799.99 | 25% |
| \$23,800.00 - \$24,699.99 | 20% |
| \$24,700.00 - \$25,599.99 | 15% |
| \$25,600.00 - \$26,499.99 | 10% |
| \$26,500.00 - \$27,399.99 | 5% |

Section 5. OTHER EXEMPTIONS

Any exemption provided by this local law shall be computed after all other partial exemptions allowed by law, excluding the school tax relief (STAR) exemption authorized by Real Property Tax Law §425, have been subtracted from the total amount assessed; provided, however, that no parcel may receive an exemption for the same municipal tax purpose pursuant to both this local law and Real Property Tax Law §467 (Senior Citizen Tax Exemption)

Section 6. INELIGIBILITY FOR EXEMPTIONS

No exemption shall be granted:

- (a) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of Twenty-seven Thousand Four Hundred Dollars (\$27,400.00) income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year, where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property due to divorce, legal separation or abandonment, in which case only the income of the spouse or ex-spouse residing at the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may not be offset by a loss from the sale or exchange of a capital asset in the income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital gifts, inheritances or monies earned through employment in the federal foster grandparent program and any such income shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance, if the legislature, after a public hearing, adopts a local law or resolution providing therefore. In computing net rental income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;
- (b) Unless the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes by is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section.
- (c) Unless the real property is the legal residence of and is occupied in whole or in part by the disabled person, except where the disabled person is absent from the residence while receiving health related care as an inpatient of a residential health care facility, as defined in §2801 of the Public Health Law, provided that any income accruing to that person shall be considered income for purposes of this section only to the extent that it exceeds the amount paid by such person or spouse or sibling of such person in the facility.

Section 7. APPLICATION FOR EXEMPTION

Application for the exemption must be made annually by the owner, or all of the owners of the property, on forms prescribed by the state board, and shall be filed in the town assessor's office on or before the appropriate taxable status date; provided, however, proof of a permanent disability need be submitted only in the year exemption pursuant to this section is first sought or the disability is first determined to be permanent

Section 8. ASSESSOR'S RESPONSIBILITY

At least sixty days prior to the appropriate taxable status date, the assessor shall mail to each person who was granted exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to continue to be granted. Failure to mail such application form or the failure of such person

to receive the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.

Section 9. APPLICATION TO TRUSTS

Notwithstanding any other provision of law to the contrary, the provision of this local law shall apply to real property held in trust solely for the benefit of a person or persons who would otherwise be eligible for a real property tax exemption were such person or persons the owner or owners of such real property.

Section 10. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Department of State and shall apply to assessment rolls prepared on the basis of taxable status duties occurring on and after March 1, 2023

RESOLUTION NO. 99 - 12/19/2022

RESOLUTION: ADOPT LOCAL LAW #2 OF THE YEAR 2022: AMENDING LOCAL LAW 3 OF THE YEAR 2014 AND INCREASING THE MAXIMUM INCOME ELIGIBILITY LEVEL FOR THE SENIOR CITIZEN TAX EXEMPTION UNDER §467 OF THE REAL PROPERTY TAX LAW.

Offered by Councilman Barber who moved its adoption.
Seconded by Councilman Payne.

Adopted: 5 Ayes 0 Nays

Resolved to adopt Local Law #2 of 2022.

LOCAL LAW NO. 2 OF THE YEAR 2022
AMENDING LOCAL LAW 3 OF THE YEAR 2014 AND INCREASING THE MAXIMUM INCLIME ELIGIBILITY LEVEL
FOR THE SENIOR CITIZEN TAX EXEMPTION UNDER §467 OF THE REAL PROPERTY TAX LAW

Section 1: STATUTORY AUTHORITY

This local law is adopted pursuant to the provisions of the Municipal Home Rule Law and the Real Property Tax Law of the State of New York.

Section 2. TEXT OF LAW

The income eligibility level and the percentage of partial tax exemption previously established by Local Law No. 3 of the Year 2014 pursuant to Real Property Tax Law §467 for persons sixty-five years of age or older is hereby repealed and there is substituted therefor the following schedule which shall control the income eligibility levels and the percentage of partial exemptions to be allowed effective immediately and shall apply to assessment rolls prepared on taxable status dates occurring on and after march 1, 2023; to wit:

The following revised income eligibility schedule for the Senior Citizen Exemption is as follows:

| Annual Income | Percentage Assessed Valuation Exemption from Taxation |
|---------------------------|-------------------------------------------------------|
| \$19,000 or less | 50% |
| \$19,000.01 - \$19,999.99 | 45% |
| \$20,000.00 - \$20,999.99 | 40% |
| \$21,000.00 - \$21,999.99 | 35% |
| \$22,000.00 - \$22,899.99 | 30% |
| \$22,900.00 - \$23,799.99 | 25% |
| \$23,800.00 - \$24,699.99 | 20% |

Section 3. REPEALER

Local Law No. 3 of the Year 2014 and any other prior inconsistent local law, ordinance or resolution adopted pursuant to Real Property Tax Law §467 is hereby repealed.

Section 4. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Department of State and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on and after March 1, 2023.

RESOLUTION NO. 100 – 12/19/2022

**RESOLUTION: AUTHORIZE SUPERVISOR TO SIGN
SMALL COMMUNITY SOLAR PILOT LOCATED AT
2668 SWETT ROAD, SLB#47.-1-69**

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

Adopted: 5 Ayes 0 Nays

Resolved to authorize Supervisor to sign small community solar PILOT located at 2668 Swett Road, SLB # 47.-1-69.

RESOLUTION NO. 101 – 12/19/2022

RESOLUTION: ALLOW LABELLA ASSOCIATES TO ACT AS LEAD AGENCY FOR ORLEANS COUNTY CANAL CORRIDOR LOCAL WATERFRONT REVITALIZATION PROJECT. AUTHORIZE SUPERVISOR TO SIGN

Offered by Councilwoman Woodruff who moved its adoption.
Seconded by Councilman Barber.

Adopted: 5 Ayes 0 Nays

Resolved to allow LaBella Associates to act as lead agency for Orleans County Canal Corridor Local Waterfront Revitalization Project and authorize Supervisor to sign.

RESOLUTION NO. 102 – 12/19/2022

RESOLUTION: APPROVE AGREEMENT WITH MUNICIPAL SOLUTIONS FOR CONTINUING DISCLOSURE FILING WITH SEC. AUTHORIZE SUPERVISOR TO SIGN.

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

Adopted: 5 Ayes 0 Nays

Resolved to approve agreement with Municipal Solutions for continuing disclosure filing with SEC and authorize Supervisor to sign.

RESOLUTION NO. 103 – 12/19/2022

RESOLUTION: ACCEPT, WITH REGRET, RESIGNATION OF DAWN KEPPLER AS ASSOCIATE TOWN JUSTICE.

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

Adopted: 5 Ayes 0 Nays

Resolved to accept, with regret, resignation of Dawn Keppler as associate Town Justice.

RESOLUTION NO. 104 – 12/19/2022

RESOLUTION: FIXING DATE AND NOTICE FOR THE SECOND PUBLIC HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, the Town Board of the Town of Ridgeway wishes to hear public comments relating to the recently completed Community Development Block Grant (“CDBG”) project supporting the expansion by Velocitii, LLC, of its operations at 711 Park Avenue within the Town, and

WHEREAS, the CDBG program is administered by the New York State Office of Community Renewal (OCR), and provides resources to eligible local governments for housing, economic development, public facilities, public infrastructure, and planning activities, with the principal purpose of benefitting low/moderate income persons, and

WHEREAS, OCR requires that grant recipients hold a public hearing to provide information to the public and to consider citizen comments regarding CDBG funded projects to help make determinations for the future use of CDBG funds, therefore be it

RESOLVED, that the Town Board hereby calls for a Public Hearing whereat all interested parties shall be heard; and be it further

RESOLVED, that the Public Hearing shall be held on January 17, 2023, at 7pm, in the Town Hall, 410 West Avenue, Medina, New York; and be it further

RESOLVED, that at least eight (8) days' notice of such hearing shall be given by the Town Clerk by the due posting thereof in the Town Hall and on the Town's website, and by publishing such notice at least once in the official newspaper of the Town.

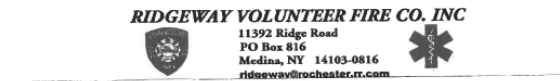
Offered by Councilman Toussaint who moved its adoption.
Seconded by Councilman Payne.

Adopted: 5 Ayes 0 Nays

Resolved to set date of January 17, 2023 and notice for the second public hearing for Community Development Block Grant

OTHER BUSINESS:

- A. Fire Company Report, read by Councilman Payne.



PRESIDENT
DON MARCHNER

FIRE CHIEF
PAT KELLY

MONTHLY FIRE REPORT - NOVEMBER 2022

AUTOMATIC ALARMS - 1
VEHICLE FIRES - 1
HAZARDOUS CONDITIONS - 4
MVA'S - 4
EMS - 17

TOTAL FOR MONTH - 27
YEAR TO DATE - 296

84.6 HOURS ON CALLS
1,106.7 HOURS YEAR TO DATE

AVERAGE FIREFIGHTER PER CALL - 4.9

EMS CALLS AVERAGE 62.9% THIS MONTH

EMS CALLS AVERAGE 63.2 YEAR TO DATE

- B. Department and County Legislator Reports:

Town Clerk: Clerk Hill said that her office is getting ready for tax season.

Code Enforcement Officer: CEO Raduns said he has issued three building permits this month, one violation, closed out eight building permits and extended two. He also has been cleaning up files on the computer, answering many emails and attended the planning board meeting.

Highway Superintendent: Superintendent Olinger said the highway department has been reading water meters, doing shop work, plowing, and using up vacation before the end of the year.

Assessor: Assessor Laszewski said her office is working on renewal notices for agricultural, aged, and nonprofit exemptions.

C. Councilman Reports:

Councilman Payne: nothing to report

Councilwoman Woodruff: Councilwoman Woodruff mentioned the Wreaths Across America campaign that put 800 wreaths at Boxwood Cemetery, and 100 at both St Mary's and Boxwood. She asked if anyone knew how locations were chosen, noting that there were quite a few veterans at Bates Road Cemetery. She wished everyone a Merry Christmas and Happy New Year.

Councilman Barber: nothing to report

Councilman Toussaint: nothing to report

D. Pay Bills:

Supervisor asked for a motion to pay the bills as presented.

Total Abstract: \$ 85,316.38

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

Motion carried: 5 Ayes 0 Nays

Supervisor Napoli asked for a motion to enter executive session.

The motion was offered by Councilwoman Woodruff and seconded by Councilman Barber.

Motion carried: 5 Ayes 0 Nays

Executive session began at 7:40pm.

Supervisor Napoli asked for a motion to end executive session.

The motion was offered by Councilman Toussaint and seconded by Councilman Payne.

Motion carried: 5 Ayes 0 Nays

Executive session ended at 8:54pm.

As there was no further business, Supervisor Napoli asked for a motion adjourn.

The motion was offered by Councilman Toussaint and seconded by Councilwoman Woodruff.

Motion carried: 5 Ayes 0 Nays

The meeting was adjourned at 8:55pm.

Respectfully submitted,

Hannah Hill
Ridgeway Town Clerk