

TOWN OF ESSEX

PO Box 355
2313 Main Street
Essex, New York 12936

Edward Gardner
Supervisor

Patricia Gardner
Town Clerk

TOWN COUNCIL:

Claire LaPine
Bryan Garvey
James LaForest
Gretel Schueller

October 5, 2016 Special Budget Town Board Meeting

Supervisor Gardner called the meeting to order at 6:00pm.

Supervisor Gardner asked the Town Clerk to read the legal ad for the meeting.

Roll Call: Present Councilperson LaPine Absent: Councilperson LaForest
 Councilperson Garvey
 Councilperson Schueller
 Supervisor Gardner

Supervisor Gardner gave an update on Councilman LaForest's condition. He then asked for a moment of silence for George "Bucky" Sweatt, who was born and raised in Essex.

Resolution 67-2016 Resolution of Condolence for George "Bucky" Sweatt October 5, 20136

Resolution 67-2016, a resolution of condolence to the family of George "Bucky" Sweatt, is being offered by the Town Board, who moved its adoption.

WHEREAS, George "Bucky" Sweatt, formerly of Essex, NY, passed away at the age of 71 on October 2, 2016; and

WHEREAS, George "Bucky" Sweatt was born on August 3, 1945, the son of the late Lester (Bud) and Barbara Sweatt; and

WHEREAS, George "Bucky" Sweatt was a devoted husband of Karen Brown; and

WHEREAS, George "Bucky" Sweatt is survived by sons Kenneth and Corey, their wives and children, sister Susan and husband and many nieces and nephews: and

WHEREAS, George "Bucky" Sweatt, at the age of 16 was an active member of the Essex Fire Department; and

WHEREAS, George "Bucky" Sweatt, was and always has been an active in any fire company in his community and church; and

WHEREAS, George "Bucky" Sweatt was an avid hunter and fisherman, sharing his love of these sports with his family; and

BE IT RESOLVED, that the Town Board of Essex express their deepest sympathy and condolences to the family of George "Bucky" Sweatt; and

BE IT FURTHER RESOLVED, that this resolution be spread upon the minutes of the Town Board, with a suitably embossed copy thereof to be forwarded to the Sweatt family.

Motion made by: Claire LaPine

Unanimous Second

Councilperson Bryan Garvey

Councilperson James LaForest

Councilperson Gretel Schueller

Supervisor Edward Gardner

Supervisor Gardner reported that there is an across the board 2% raise for all employees except the union which must follow their contract.

The board went through the budget line by line with the following changes:

1. Remove the section Judgement and Claims, account 190304.01 because it is not in use.
2. Increase sidewalk Contractual expense 54104.01 to \$10,000

Discussion about a raise for the assistant to the sewer/water operator. All agreed that the money is in the contractual expense for it when Kerry completes her certification. Tina Gardner has asked for a raise. It was decided to get comparable wage and salary for the position and discuss it at the next meeting of the budget.

Supervisor Gardner told the board that this tentative budget was below the local tax cap, but to be safe proposed that the board consider introducing a resolution to override the tax levy limit.

Resolution No. 66-2016

Special Budget Board Meeting

October 5, 2016

RESOLUTION INTRODUCING PROPOSED LOCAL LAW NO. 1 OF 2016 ENTITLED "A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C"

The following resolution was offered by __Bryan Garvey_____, who moved its adoption.

Upon the passage of a motion to consider from the floor, and the same appearing proper and necessary.

BE IT RESOLVED that the Town of Essex Town Board hereby introduces proposed Local Law No. 1 of 2016 entitled "A Local To Override the Tax Levy Limit Established in General Municipal Law §3-c," reading and provided as follows:

"TOWN OF ESSEX LOCAL LAW No. 1 OF 2016"

A Local Law To Override the Tax Levy Limit Established in General Municipal Law §3-c.

BE IT ENACTED, by the Town of Essex Town Board as follows:

Section 1. 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 Essex pursuant to General Municipal Law §3-c, and to allow the Town of Essex to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of "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 the Town Board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Town Board.

Section 3. Tax Levy Limit Override - Budget Authorization.

The Town Board of the Town of Essex hereby overrides the tax levy limit for the Town of Essex for 2017 and authorizes the Town of Essex, after completing all required procedures for the adoption of a budget, to adopt a budget for 2017 that requires a tax levy that is greater than the tax levy limit calculated for 2017 pursuant to §3-c of the General Municipal Law.

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 judgement 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 judgement or order shall be rendered.

Section 5. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State.

BE IT FURTHER RESOLVED that the Town Board of the Town of Essex shall hold and conduct a public hearing on the foregoing proposed local law on the 12th day of October, 2016, at 6 p.m. in the forenoon of that day, to hear any and all persons concerning the same; and

BE IT FURTHER RESOLVED that the Clerk of the Town of Essex will publish a notice of such hearing in the designated Town newspaper at least five days prior to said hearing.

This resolution was duly seconded by __ClaireLaPine_____, and adopted upon a roll call vote as follows:

Councilperson LaPine	yes
Councilperson Garvey	yes
Councilperson LaForest	Absent
Councilperson Schueller	yes
Supervisor Gardner	yes

The Preliminary Budget meeting will be held on October 12, 2016 at 6pm.

Bryan Garvey made a motion to adjourn.

Respectfully Submitted

Patricia Gardner
Town Clerk