

March 1st, 2023: budget meeting @ 6pm with regular meeting to follow

There was a budget meeting @ 6pm with a regular meeting of the Board of Trustees of the Village of Tully to follow on Wednesday, March 1st, 2023, at 7:00pm in the Municipal Building.

Present: Erin C. Goodfellow, Mayor
Benjamin Bibik, Deputy Mayor (phone)
Daniel Ray, Trustee
Roxanne Oliver, Trustee
Kathryn Vernay, Trustee
Ruth Van Buskirk, Clerk/Treasurer
Thomas Chartrand, Accountant
Ralph Lamson, Codes

Absent: Courtney Hills, Counsel
Ken Teter, Engineer

Visitors: Frank Speziale
Mike Hoke, Labor Crew Leader
Daniel Poellot

Pledge of Allegiance/Call to Order

Mayor Goodfellow led the Pledge of Allegiance and called the meeting to order at 7:04pm. Motion was made by Trustee Oliver, 2nd by Trustee Vernay to approve the minutes from the February 1st, and February 25th, 2023, meetings. Ayes carried.

Upon motion by Mayor Goodfellow, 2nd by Trustee Bibik it was unanimous to accept the treasurer's report, subject to audit.

Upon motion by Trustee Oliver, 2nd by Trustee Ray it was unanimous to approve the transfers, subject to audit. All ayes carried.

Transfer of Appropriations

March 1st, 2023

GENERAL FUND

From:	A1990.4	contingent	contractual	4,000.00
	A5110.1	street maintenance	personal services	2,000.00
	A5130.1	machinery	personal services	5,000.00
	A5142.1	snow removal	personal services	5,000.00
			TOTAL	16,000.00
To:	A1010.4	Village Board	contractual	1,000.00
	A1490.1	Administration	personal services	12,000.00
	A1620.4	buildings	contractual	1,000.00
	A7110.4	Parks	contractual	2,000.00

		TOTAL	16,000.00
WATER FUND			
From: F9060.8	employee benefits	hospital & medical insur.	1,000.00
		TOTAL	1,000.00
To: F8330.4	purification	contractual	1,000.00
		TOTAL	1,000.00
SEWER FUND			
From: G8130.1	waste water treatment	personal services	1,000.00
		TOTAL	1,000.00
To: G8120.1	sanitary sewers	personal services	1,000.00
		TOTAL	1,000.00

Upon motion by Trustee Bibik, 2nd by Trustee Vernay it was unanimous to open the public hearing regarding LL-1 of 2023, local law to override the tax levy limit at 7:12pm. All ayes carried.

(Name of legislative Body) NEW YORK STATE DEPARTMENT OF STATE

Local Law Filing

41 STATE STREET,
ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Village of Tully

Local Law No. One (1) of the year 2023.

A local law to override the tax levy limit established in General Municipal Law §3-c.

Section One (1). Legislative Intent

General Municipal Law §3-c (“GML §3-c”) places a limit upon the amount of real property taxes that may be levied by various governmental bodies, including incorporated Villages. Although it is the stated and clear intent of the Village Board of Trustees to not exceed

such limit during the upcoming fiscal year commencing June 1, 2023, due to the potential for such exposure as may result from: (i) unforeseeable events causing an increase or decrease in revenues and/or expenses of Village operations; (ii) unknown or unforeseen effect(s) of interpretations, application or enforcement of GML §3-c relative to the required computation or accounting treatment of Village expenses and revenues; and (iii) the potential for such computation errors failing to accurately project fiscal year 2023-2024 Village expenses and revenues, the Village Board of Trustees as prudent stewards of the public trust desires to insulate the Village from possible sanctions, penalties or similar adverse consequences resulting from an unintentional failure to comply with GML §3-c, by providing for the override of the property tax cap imposed thereby. Accordingly, it is the intent of this local law to override such statutory limit, as may be required, on the amount of real property taxes that may be levied by the Village of Tully, County of Onondaga pursuant to GML § 3-c, and to allow the Village of Tully, Onondaga County to adopt a Village budget for (a) village purposes (b) any other special or improvement district governed by the Village Board for the fiscal year 2023-2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by GML § 3-c.

Section Two (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 Three (3). Tax Levy Limit Override

The Board of Trustees of the Village of Tully, County of Onondaga, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2023 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section Four (4). Illegality/Severability

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstances is adjudged invalid, illegal or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances. Further, in adjudging such invalid, illegal or unconstitutional provision, the court shall attempt to modify same to a provision which is not invalid, illegal or unconstitutional and which best achieves the intent of the invalid provision.

Section Five (5). Effective Date.

This Local Law shall take effect immediately upon its filing in the office of the Secretary of State.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2023 of the (County)(City)(Town)(Village) of Tully was duly passed by the Village Board of Trustees of the Village of Tully on _____, 2023 in accordance with the applicable provisions of law.

~~2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 19__, and was (approved)(not approved)(repassed~~

~~_____ (Name of legislative Body) disapproval) by the _____ and was deemed duly adopted on _____, 199_~~

~~(Elective Chief Executive Officer*)~~

~~in accordance with the applicable provisions of law.~~

~~3. (Final adoption by referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No _____ of 199_ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____, 19__, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 19__. Such local law was~~

~~4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No _____ of 19__ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved)(not approved)(repassed after~~

~~(Name of Legislative Body)~~

~~disapproval) by the _____ on _____ 19__ Such local law was subject to~~

~~(Elective Chief Executive Officer*)~~

~~permissive referendum and no valid petition requesting such referendum was filed as of _____ 19__, in accordance with the applicable provisions of law.~~

~~5. (City local law concerning Charter revision proposed by petition.)~~

~~I hereby certify that the local law annexed hereto, designated as local law No _____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19__, became operative.~~

~~6. (County local law concerning adoption of Charter.)~~

I hereby certify that the local law annexed hereto, designated as local law No _____ of 19__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 19__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph one (1) above.

Ruth VanBuskirk, Village Clerk

(Seal)

Date: _____, 2023

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF ONONDAGA

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature
Courtney M. Hills

Attorney for the Village

Title

~~County~~

~~City~~ of Tully

~~Town~~ Village

Date: _____, 2023

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is

Public Comment

Former Mayor and village Trustee Daniel Poellot expressed his appreciation to the Village Board and the community for the retirement party that was held February 25th. He said it was the first retirement party that he remembered that the Village ever had.

Upon motion by Trustee Bibik, 2nd by Trustee Oliver it was unanimous to close the public hearing at 7:17pm.

DPW

The new WWTP Operator Kevin Kwiatkowski started this week. Things appear to be moving smoothly. Labor Crew Leader Mike Hoke has been helpful. The “D” certification is still outstanding but we are working on obtaining that soon.

Upon motion by Trustee Bibik, 2nd by Trustee Oliver it was unanimous to authorize the Mayor to sign a contract with Unifirst for uniforms at \$28.40/week, subject to review by Counsel. All ayes carried.

DPW Liaison, Trustee Vernay, hopes to have the replacement for the exhaust fan finished before the end of the budget year.

Craig Clemons is in the process of finishing up the ceiling at the plant. The Board has approved the additional charge of \$140.00 to paint and repair the hallway at the WWTP.

Counsel:

No report

Codes:

No report

Engineer:

DATE: Board Meeting – March 1st, 2023

WWTP Controller Upgrade Project

On Thursday the 9th of February the final punch list and training with all of the staff present (as well as the Camden rep.), was completed. We are now awaiting the final documentation and closeout documents.

Creek Cleaning Permit Application

As before, my recommendation is to again attempt to coordinate with the Town for their assistance to help complete the survey work sometime in the spring when conditions allow.

Route 11A Town Water District

I have not received any further information about the project and the final numbers as to their anticipated usage. It is my understanding that the Town plans to conduct a survey in the immediate area just north of Burger King to determine any interest from the subdivision residents.

WWTP Blower

With the new WWTP Operator now on board, I will be meeting with him to discuss the situation where we have one blower that is not capable of keeping up during the summer months.

Climate Smart Task Force:

Trustee Vernay has obtained grant monies for a heat pump. Pricing has been gathered but we need prevailing wage information before a vendor is selected. The remaining grant monies will be allotted toward the possibility of an electric mower for DPW.

Comprehensive Plan:

The group will be sending out surveys to village and town residents. There will be an informational meeting on March 30th from 6-8pm at the Municipal building where residents may look at possible options.

ZBA:

Upon motion by Trustee Bibik, 2nd by Mayor Goodfellow it was unanimous to appoint Eric Galvin as chairman of the ZBA. All ayes carried.

New Business:

Trustees Bibik and Ray will look into a new website setup.

Trustee Vernay and Ray will look into adding another radar speed sign.

Public Comment

Due to issues with the website and the changing of responsibilities the minutes have been delayed getting onto the website. If you wish a copy the clerk would be happy to email/mail or have you pick up a copy.

Audit Bills

Upon motion by Trustee Vernay, 2nd by Trustee Oliver, it was unanimous to review and authorize the accountant to pay the bills, subject to audit.

Upon motion by Trustee Bibik, 2nd by Trustee Ray it was unanimous to move the tentative budget to preliminary with the changes discussed. All ayes carried.

Upon motion by Mayor Goodfellow, 2nd by Trustee Oliver it was unanimous to schedule the public hearing for the 2023 – 2024 Village budget for April 5th, 2023 at 7pm at the Municipal building at 5833 Meetinghouse Road with a regular meeting to follow. The March 15th budget meeting has been cancelled. All ayes carried.

Upon motion of Mayor Goodfellow, 2nd by Trustee Vernay it was unanimous to adjourn at 8:56pm.

Respectfully Submitted

Ruth C. Van Buskirk, Clerk/Treasurer