

June 7th, 2023: Regular Meeting

Public hearing for LL-1-2023 was opened by Deputy Mayor Benjamin Bibik at 6:31pm.

Upon motion by Deputy Mayor Bibik, 2nd by Mayor Goodfellow it was unanimous to close the public hearing at 6:59pm.

There was a regular meeting of the Board of Trustees of the Village of Tully on Wednesday, June 7th, 2023 at 7:00pm in the Municipal Building.

Present: Erin C. Goodfellow, Mayor
Benjamin Bibik, Deputy Mayor
Daniel Ray, Trustee
Kathryn Vernay, Trustee
Ruth Van Buskirk, Clerk/Treasurer
Thomas Chartrand, Accountant
Ralph Lamson, Codes
Kevin Kwiatkowski, WWTP Operator
Courtney Hills, Counsel (by phone)

Absent: Roxanne Oliver, Trustee
Ken Teter, Engineer

Visitors: Frank Speziale
Trudy Krewson

Pledge of Allegiance/Call to Order

Mayor Goodfellow led the Pledge of Allegiance and called the meeting to order at 7:00pm.

Motion was made by Trustee Vernay, 2nd by Trustee Ray to approve the minutes from the May 3rd, 2023, meeting. Ayes carried.

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

Upon motion by Mayor Goodfellow, 2nd by Trustee Vernay it was unanimous to approve the following transfers, subject to audit. Ayes carried.

Transfer of Appropriations

GENERAL FUND

From:

A510	estimated revenues	EWR,PAVENY,POP	8,182.00
		TOTAL	8,182.00
To:			
A5112.2	Capital Improvements	(CHIF Cap. Improv.)	8,182.00
		TOTAL	8,182.00

Public Comment:

Trudy Krewson expressed concerns over the lack of visibility on the corner of Skadden Terrace due to an over grown pine tree. The Village will send a letter to the homeowner asking for the tree to be trimmed. If there is no favorable results DPW will make a verbal request to the homeowner.

DPW:

1-Suit -Kote project has finished.

2-Kevin has received on Onondaga county state contract a figure of \$117,765.00 to redo the sidewalk on Warren Street, the figure does not include “apron work”, from EPS, Environmental Paving Solutions. Upon motion by Trustee Bibik, 2nd by Mayor Goodfellow it was unanimous to accept the figure from EPS. All ayes carried.

3-The beavers have returned to the creek next to Cummings Park. The board has authorized Kevin to look into finding a trapper. The Village may need a permit from DEC to remove the dam.

4-Upon motion by Trustee Vernay, 2nd by Trustee Ray it was unanimous to authorize Kevin to contact Ken Teter about Circle K lift pump station needs.

5-Kevin and DPW crew has spent time working on fixing and upgrading various projects within the Village.

6-Upon motion by Trustee Vernay, 2nd by Trustee Ray it was unanimous to authorize Kevin to contact Ken Teter in regards to possible commerical water/sewer hookups for new business located on Route 80. All ayes carried.

Upon motion by Trustee Bibik, 2nd by Trustee Ray it was unanimous to approve raises “as per budget” for DPW personnel. All ayes carried.

Counsel:

The adoption of the following was moved by Trustee Bibik, 2nd by Mayor Goodfellow and duly put to vote, which resulted as follows

Erin C. Goodfellow	yes
Benjamin Bibik	yes
Kathryn Vernay	yes
Daniel Ray	yes

Roxanne Oliver

absent

(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.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Village of Tully

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

A local law repealing Article I of Chapter 98 of the Village of Tully Code entitled “Fire Fighters Tax Exemption” and replacing it with a new Article VIII of Chapter 98 of the Village of Tully Code entitled “Real Property Tax Exemption for Volunteer Firefighters and Ambulance Workers”.

Be it enacted by the Village Board of Trustees of the Village of Tully as follows:

Section One (1). Article I of Chapter 98 of the Village of Tully Code entitled “Fire Fighters Tax Exemption” is hereby repealed and intentionally left blank.

Section Two (2). A new Article VIII of Chapter 98 of the Village of Tully Code entitled “Real Property Tax Exemption for Volunteer Firefighters and Ambulance Workers” is hereby enacted with the following:

Article VIII

Real Property Tax Exemption for Volunteer Firefighters and Ambulance Workers

§98-32 Title.

This Chapter [98](#), Article VIII, shall be known as the "Real Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers in the Village of Tully.

§98-33 Intent and Purpose.

By this article, the Village Board seeks to amend Chapter [98](#) of the Village of Tully Code to repeal Article I and replace same with a new Article VIII providing for an amended tax exemption on real property owned by members of volunteer fire companies and voluntary ambulance services in the Village of Tully.

§98-34 Exemption Granted; Amount.

Real property which is the primary residence of and is owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service, or such enrolled member and spouse residing in the Village of Tully, shall be exempt from taxation in accordance with § 466-a of the Real Property Tax Law, such exemption to be limited to 10% of the assessed value of the property, exclusive of special assessments.

§98-35 Eligibility Requirements.

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes;
- D. The volunteer firefighter or volunteer ambulance worker resides in the Village of Tully and the Village of Tully is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- E. The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- F. The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by Village of Tully, which is hereby established as five (5) years.

§98-36 Qualification for Lifetime Exemption.

Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than 20 years of active service, and is so certified by the Village of Tully, shall be granted the ten-percent exemption as authorized by this article for the remainder of his or her life as long as his or her primary residence is located within this state.

§98-37 Application Process/Certification.

An applicant for the exemption provided for hereunder shall file an annual application with the Village of Tully or Town of Manlius Assessor, as directed by the Village Clerk, on a form prescribed by the New York State Board of Equalization and Assessment. The application must be filed on or before the taxable status date. The Village of Tully must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.

The Village of Tully must annually file with the assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

§98-38 Effect on Current Benefits.

Any applicant who is a volunteer fire fighter or volunteer ambulance worker and who by reason of such status is receiving any benefit under the provisions of New York State Tax Law Article 4 on the effective date of this Chapter 98, Article VIII shall not suffer any diminution of such benefit because of the provisions of this Chapter 98, Article VIII.

§98-39 Amendments.

In the event the New York State Legislature enacts any provision authorizing adoption of greater or expanded real property tax exemption benefits for volunteer fire fighters or ambulance workers qualifying hereunder, the provisions hereof may be amended by resolution of the Village Board of Trustees in order to implement any such greater or expanded benefits.

Section Three (2). 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 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 provision, the court shall attempt to modify same to a provision which is not invalid or unconstitutional and which best achieves the intent of the invalid provision.

Section Four (3). EFFECTIVE DATE.

This Local Law shall take effect upon its filing in the office of the Secretary of State and shall apply to the assessment rolls prepared on the basis of taxable status dates occurring on or after such date.

(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 June 7, 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 _____ to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 19__, in accordance with the applicable provisions of law.

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 vested with the power to approve or veto local laws or ordinances

Codes:

Ralph advised the Board that they may wish to review building requirements in the code book. Ralph has had some response from the residents that were sent letters to clean up their properties (Warren and State Street). Ralph will continue to contact and work with them.

Engineer:

WWTP Controller Upgrade Project

We have reviewed and commented on O&M manual and are awaiting the revisions, as well as the final documentation and closeout documents. Once we review all and approve them, we will be able to close the entire project out.

LCRR (lead & copper rule revisions) Service line inventory

I spoke with Mike about the need to get this inventory underway (due in October 2024) and he was aware of it. He will be in touch with the County Health Department for their input and I can provide guidance and assistance in getting this completed in time. It will take some time since the Village is required to document the type of pipe

material for every service on the system between the main and the shut-off and also from the shut-off into the house(that's the tough part). Once I go a little further with Mike it may be worth meeting with you as a Board to answer questions, etc.

Meeting with Kevin : WWTP projects

I met with Kevin in late May to go over a variety of projects associated with the WWTP. It went very well and he is looking into gathering key info to help determine what to do for each and I am available to help as needed.

Climate Smart Task Force:

Village is waiting on response on the heat pump and electric equipment.

Comprehensive Plan:

The draft is completed.

Other Business:

Trustee Ray is looking into pricing and grants for more radar speed signs.

Due to vacation, sick etc.. the DPW will fill in for the crossing guards when necessary.

Public Comment:

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

Upon motion by Mayor Goodfellow, 2nd by Trustee Ray it was unanimous to adjourn at 8:23pm.

Respectfully Submitted

Ruth C. Van Buskirk
Clerk/Treasurer