

**VILLAGE OF MANCHESTER
MINUTES OF THE REGULAR VILLAGE BOARD MEETING
HELD AT 8 CLIFTON STREET, MANCHESTER NY
ON DECEMBER 1, 2014**

Present: William F. Henry, Deputy Mayor
Michael J. Buttaccio, Trustee
Richard Coffey, Police Chief
Jim Goodall , Fire Department

Absent: Nancy W. Johnsen, Mayor
Jeffrey P. Liberati, DPW Supervisor

Others: Anthony Cirulli

Recording: Debra Chase, Deputy Village Clerk/Treasurer

The meeting was called to order at 6:00 pm by Deputy Mayor Henry. The Deputy Mayor led the Pledge of Allegiance to the flag.

Deputy Mayor Henry, called the 1st public hearing to order at 6:00 PM. The Deputy Mayor read the Notice of Public Hearing on proposed Resolution No. 12-2014 entitled “**REAL PROPERTY TAX EXEMPTION FOR PERSON OVER 65 FOR THE VILLAGE OF MANCHESTER, NEW YORK FOR THE 2016-2017 TAX YEAR**” which was printed in the Daily Messenger on November 17, 2014.

Deputy Mayor Henry asked three times if anyone had any questions or comments.

No one spoke for or against the resolution.

The public hearing was closed at 6:06 PM.

Deputy Mayor Henry called the second public hearing to order at 6:06PM. The Deputy Mayor read the Notice of Public Hearing on proposed Resolution No. 10-2014 /Local Law No. 2 – 2014 entitled “**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C**” which was printed in the Daily Messenger on November 17, 2014

Deputy Mayor Henry asked three times if anyone had any further questions or comments.

No one spoke for or against the resolution.

The public hearing was closed at 6:10 PM.

The minutes of the Regular meeting held on November 3, 2014 were read and approved upon motion from Deputy Mayor Henry and seconded by Trustee Buttaccio. The November Treasurer’s report was not available. Bills were authorized for payment on Abstract #7 of Audited Vouchers, General Fund totaling \$; Water Fund totaling \$; Sewer Fund totaling \$; CDBG totaling \$0.00 and TEP totaling \$0.00; Trust & Agency Fund \$0.00.

RAILROAD MEMORIAL PARK

Trustee Buttaccio reported that on December 6th Santa Claus will be at the caboose from 11am to 1pm and 2pm to 4 pm. The Country Studio will offer a free 5x7 for each family. The Boy Scouts have been working on the signal-all that is left is the wiring and that will be done this week. The scouts decorated the caboose for Christmas and Mike put a tree inside. Discussion continues on acquiring additional railroad cars.

POLICE REPORT

- Report on file in the clerk’s office.

FIRE DEPARTMENT REPORT

- Jim discussed a grant that he is having Jason submit for a radio software update. It will cost estimated \$182.50 per radio and \$1800.00 labor. We have 26 radios. The grant will be for multiple fire departments.

- Jason is also working on another grant for turnout gear. His charge will be \$950.00. He will write the grant for 30 sets of turnout gear- each set will cost \$2,200.00.

Jim asked permission from the board to get rid of the old gear-

Trustee Buttaccio Voting “AYE”

Deputy Mayor Henry Voting “AYE”

BOY SCOUTS

- Matt Colotti is finishing up his Eagle Scout project which is “File for Life”. He asked permission to have a box at the Village Hall to hand out to interested people.

Trustee Buttaccio	Voting	“AYE”
Deputy Mayor Henry	Voting	“AYE”

RESOLUTION No. 12-2014 - REAL PROPERTY TAX EXEMPTION FOR PERSON OVER 65 FOR THE VILLAGE OF MANCHESTER, NEW YORK FOR THE 2016-2017 TAX YEAR
RESOLVED, AND BE IT ORDAINED, by the Board of Trustees of the Village of Manchester as follows:

Section 1. Real Property owned by one or more persons one of whom is sixty-five years of age, or real property owned by husband and wife, one of whom is sixty-five years of age or over shall be exempt from taxation to the extent of fifty per centum of the assessed valuation thereof:

Section 2. No exemption shall be granted:

- a) if the income of the owner or the combined income of the owners of the property exceeds the sum of Twenty-Four Thousand Two Hundred Ninety-Nine and 99/100 Dollars (\$24,299.99) for the twelve consecutive months immediately preceding the date of making application for exemption. Where title is vested in either the husband or the wife, the combined income may not exceed such sum. Such income shall include Social Security and retirement benefits, interest, dividends, rental income, salary or earnings, and income from self-employment, but shall not include gifts or inheritance; and
- b) unless the title of the property shall have been vested in twenty-four months prior to the date of making application for exemption; and
- c) unless the property is used exclusively for residential purposes; and
- d) unless the real property is the legal residence of, and is occupied in whole or in part by the owner or by all of the owners of the property.

Section 3. As allowed by Section 467D of the New York State Real Property Tax Law, a sliding scale income level will be allowed as follows:

If income is More Than / but this amount is Less Than / % of deduction allowed		
18,600.01	19,599.99	45%
19,600.00	20,599.99	40%
20,600.00	21,599.99	35%
21,600.00	22,499.99	30%
22,500.00	23,399.99	25%
23,400.00	24,299.99	20%

Section 4. Application for such exemption must be made by the owner, or all of the owners, of the property, on forms to be furnished by the Town of Manchester Assessor, and shall furnish the information and be executed in the manner required or prescribed in such forms, and shall be filed in the office of the Town of Manchester Assessor at least ninety days before the day of filing the final assessment roll.

Section 5. Any conviction of having made any willful false statement in the application for such exemption shall be punishable by a fine of not more than One Hundred Dollars and shall disqualify the applicant from further exemption for a period of five years.

Section 6. This resolution will remain effective until it is amended by resolution of the Village Board of Manchester, NY from said date.

The above resolution was put to roll call vote which resulted in the following:

Deputy Mayor Henry	Voting	“AYE ”
Trustee Buttaccio	Voting	“AYE ”

The resolution was thereupon declared duly adopted.

RESOLUTION NO. 10-2014 TO ENACT LOCAL LAW NO. 2-2014

The following resolution was offered by Deputy Mayor Henry, who moved its adoption, seconded by Trustee Buttaccio:

WHEREAS, proposed Local Law No. 2-2014 was introduced at the meeting of the Board of Trustees;

WHEREAS, a public hearing has been held thereon the 1st day of December, 2014, at which time all interested persons were given an opportunity to be heard thereon.

NOW, THEREFORE, BE IT RESOLVED, that a Local Law No. 2 -2014 be enacted as follows:

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-C**

The question of adoption of the foregoing Resolution was duly put to roll call which resulted as follows:

Deputy Mayor Henry	Voting	“AYE”
Trustee Buttaccio	Voting	“AYE”

The resolution was thereupon declared duly adopted. A copy of said Local Law is appended and made a part hereof.

**LOCAL LAW NO. 2 – 2014 – A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED BY GENERAL MUNICIPAL LAW § 3-c**

Be it enacted by the Village Board of Trustees of the Village of Manchester.

SECTION 1. Legislative Intent

It is the intent of this local law to allow the Village of Manchester to adopt a budget for the fiscal year commencing June 1, 2014 through May 31, 2015 that requires a real property tax levy in excess of the “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 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 (60%) of said governing body.

SECTION 3. Tax Levy Limit Override

The Board of Trustees of the Village of Manchester, County of Ontario, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2015 through May 31, 2016, that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law § 3-c.

SECTION 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, 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, fir or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5. Effective date. This local law shall take effect immediately upon its filing with the Secretary of the State of New York.

The above resolution was put to a roll call vote which resulted as follows:

Deputy Mayor Henry	Voting	“AYE”
Trustee Buttaccio	Voting	“AYE”

The resolution was duly adopted.

The next regular Village Board meeting will be on Monday, January 5, 2015 at 6:00 pm.

The meeting was adjourned upon motion at 6.52 pm.

Respectfully submitted,
Debra Chase
Deputy Village Clerk/Treasurer