

VILLAGE OF ATHENS BOARD MEETING

Minutes – March 13, 2013

Pledge to the Flag.

PRESENT: Mayor Andrea Smallwood, Trustee Herman Reinhold, Trustee Robert June, and Trustee Anthony Patsky.
Trustee Gail Lasher absent.

Village Attorney Tal Rappleyea was also present.

PUBLIC HEARING.

Mayor Smallwood opened the Public Hearing by stating that the purpose of tonight's hearing is to listen to public comment on the proposed adoption of a local law which would override the "property tax cap" which limits growth in the property tax levy to under 2% for the upcoming fiscal year.

The Mayor informed the public in attendance that, at this point in time, the Village Board has no intention of overriding the 2% tax cap. As a formality, the Village Attorney advised the Village Board to pass the override in case there were any unforeseen fiscal emergencies while finalizing the budget. After a preliminary review of the budget it does not look like there will be much of an increase in the tax rate, if any at all.

The Mayor opened the Public Hearing for comments:

After several comments made from the public regarding the fact that they had all received their new tax assessments in the mail and their concern over the impending tax increases the Village Attorney informed the Public of the difference between their assessment and the tax amount as it pertains to the property tax cap formulation since the Public Hearing for this evening involves the NYS tax cap on the tax levy not assessments or tax amounts.

The Mayor also informed the public that the Town of Athens is the assessing unit for the Village and that the Village has never supported the Town's decision to complete a reassessment of the Town and Village of Athens.

Mayor Smallwood read a letter sent by the Village Board to the Town Supervisor stating that the Village Board was not in favor of a revaluation of the Town for a number of reasons. The letter was written in October 2010.

Mayor Smallwood recommended that those in attendance tonight regarding their new assessments attend the Town of Athens Board Meeting next Monday night to express their concerns.

Some of the issues raised by the public:

- Will the new assessment go into effect for this year's Village tax?

Mayor Smallwood answered 'no'.

- Doesn't the governing body that wishes to override the tax cap have to prove why they are overriding the cap?

Village Attorney answered 'No'.

- Two residents of Sleepy Hollow Lake stated that as a resident of NYS they feel that they have no recourse when it comes to the amount of taxes that they are required to pay. They feel that the 2% tax cap is the only protection that they have as a taxpayer. Considering the fact that many residents of Sleepy Hollow have had their assessments raised considerably she would like the Village Board not to pass this law overriding the tax cap as a good faith gesture. They ask that the Village Board please not override this law even if the Village Board is not planning on raising taxes.

- Another resident mentioned that they just recently built their house in the past year and now due to the reassessment it has again increased by over \$100,000.00. Why wasn't it assessed fairly when it was completed? He did everything that he was required to do.

- Another resident mentioned that he takes care of his ill spouse and that his assessment has increased by \$314,000.00. He feels that he will now have to move since he will be unable to pay the taxes any longer. If this continues in the Town of Athens then he feels that this area will become a ghost town.

- Another resident stated that he felt that overriding the property tax cap law is an easy way out of working harder to cut expenses. If you can't get it under 2% then "sharpen your pencils and go back to the table".

Trustee Reinhold noted that the assessments have always been a bit unfair comparatively speaking in that some people's assessments are too low and pay very low taxes and some peoples assessments are too high and pay very high taxes. While the village board understands the need to try and make assessments more fair, the Village Board also felt that the timing in doing a town wide reassessment, due to the economic climate, was wrong and too sudden of a change for some people. They asked the Town if it could be done in increments but they were told that there was no mechanism for this.

- Several members of the public again stated that they were against the Village Board overriding the property tax cap.

- A member of the public also noted that the reevaluation cost \$90,000.00.

- Another member of the public wanted to commend the Village Board for keeping the tax increases over the past several years under 2%. Hopefully this will continue.

- Another member informed everyone there that they should look closely at the letter that they received from the company doing the reassessment. There could be mistakes in it. He stated that a reevaluation has to be done eventually in order to make things comparable and fair. The School tax is the tax that is the most foreboding yet no one attends those meetings to find out what is budgeted. The Village has many

responsibilities and tasks to perform and there is not a lot of money being wasted at this level of government.

- A member of the public asked if the Village Board will be voting on the override this evening?

The Mayor replied 'yes'.

In closing the Public Hearing the Mayor stated that the Village Board will take all of the comments made this evening under consideration when voting on whether to pass on this proposed law.

Close the PUBLIC HEARING.

Open the REGULAR WORK MEETING.

CORRESPONDENCE:

1. Rohan Parkh- Parks & Trails New York. Re: Request for use of the Athens Riverfront Park. A RESOLUTION was made by Trustee June, Seconded by Trustee Patsky, all in favor, approving their use of the Riverfront Park as requested. Insurance Certificate will be requested.
2. Alexa- film company. Re: Thank you.
3. General Code Publishers. Re: Contract.
4. Athens Police Department- Rick Deyo. Re: Village Building/gym access door.
5. Greene County Joint Landfill Venture. Re: Statement of finances.
6. James Steenbergh. Re: Deed for property on Murphy Drive.
7. NY Municipal Insurance Reciprocal. Re: Subscriber Agreement.
8. BA Electrical. Re: Proposal for work at Union St. Park.
9. Water Systems Operation Report. Re: February 2013.
10. Copies of letters of support regarding the Village's application for an LGE (Local Government Efficiency) grant.
11. VRI. Re: Contract.
12. HD Supply Waterworks. Re: Financing.

OTHER BUSINESS:

A RESOLUTION was made by Trustee Reinhold, seconded by Trustee June, all in favor, approving the Subordination Agreement for Robert Braine and Leslie Reed (recipients of RLF money). The subordination agreement states that the Village of Athens shall continue to be subject and subordinate in lien to the lien of their mortgage through First Niagara Financial Institution.

A MOTION was made by Trustee Patsky, seconded by Trustee June, all in favor, approving payment of the following vouchers:
GENERAL- vouchers numbered #9912429 through #9912443 and vouchers numbered #9912445 through #9912446 in the amount of \$23,984.23. (Abstract #1737).

WATER- vouchers numbered #9912420 through #9912424 and voucher number #9912447 in the amount of \$3,712.81. (Abstracts #10267 and #10268).
SEWER- vouchers numbered #9912425 through #9912428 and voucher number #9912444 in the amount of \$1798.34. (Abstract #10238).

Financial Statements for the month of February have been distributed to all Village Board Members.

The Village Board discussed the Tentative Budget.

A RESOLUTION was made by Trustee Reinhold, seconded by Trustee Patsky, all in favor, approving the renewal of the lease with Leah Rhodes, tenant of the Community Center building, for another year at the same rate.

A RESOLUTION was made by Trustee June, seconded by Trustee Reinhold, all in favor, transferring \$20,000.00 from Mortgage Tax monies received as a result of U.S. Generator refinancing to Water savings/meters account.

A RESOLUTION was made by Trustee Reinhold, seconded by Trustee June, all in favor, transferring \$50,000.00 from Mortgage tax monies received as a result of U.S. Generator refinancing to DPW garage construction reserve account.

A RESOLUTION was made by Trustee Patsky, seconded by Trustee June, all in favor, transferring \$30,000.00 from Mortgage tax monies received as a result of U.S. Generator refinancing to the Fire Dept. equipment/Truck Reserve Account.

A RESOLUTION was made by Trustee June, seconded by Trustee Patsky, all in favor, to not override New York States 2% tax cap.

Motion made to adjourn meeting at 9:45PM.

Good night!