

*The Town of Orleans Board Meeting  
October 9, 2014*

*The Town of Orleans Board held a regular scheduled meeting on October 9, 2014 at the Municipal Building in LaFargeville, at 7:00PM .*

***Members Present:*** *Kevin Rarick, Peter Wilson, Gwen Kirkby, Thomas Johnston, and Mary Ford-Waterman.*

***Others Present:*** *Tammy Donnelly, Brian Kirkby, Steve Dulmage, Brad Millett, Dale Raymo, Maria Derrigo, Dennis Weller, Jim Beida, Brian Eckert, Ty Davis, Katie Clark Ross, Manny Jerome, & Dave & Debbie Schryver.*

*Supervisor Rarick called meeting to order at 7:03PM*

*1. Approval of Minutes- A motion was made by Thomas Johnston and seconded by Peter Wilson to accept August 14, 2014 minutes as read.*

*Kevin Rarick, Aye*

*Thomas Johnston, Aye*

*Gwen Kirkby, Aye*

*Mary Ford-Waterman, Aye*

*Peter Wilson, Aye All in favor motion carried*

*2. Cathy Financial Report - Cathy reviewed financial report with board. Discussion was held.*

*3. Blind Bay IMA - Mr. Weller spoke and stated Clayton is in favor of IMA, and he would like the Town of Orleans thoughts. A motion was made by Thomas Johnston and seconded by Peter Wilson to have further discussion on Blind Bay. Discussion was held by board members. Councilman Johnston feels the IMA is drafted to take away from our zoning board. He feels until Blind Bay is ready to do something in the Town of Orleans, then he is not for it.*

*Supervisor Rarick, spoke and stated that the town has our zoning laws, which zoning board worked very hard on. Supervisor Rarick is not for it.*

*Councilman Waterman, spoke and stated that there are too many what ifs. She does not want to see it happen.*

*A vote was taken as follows:*

*Kevin Rarick, No*

*Thomas Johnston, No*

*Gwen Kirkby, No*

*Mary Ford-Waterman, No*

*Peter Wilson, No 0-yes to 5-No Failed*

3. Tax Cap Public Hearing- Supervisor Rarick called the public hearing to order at 8:10PM. Discussion was held. Supervisor Rarick closed hearing at 8:15PM. Local Law #1 2014 was adopted by the town board. A motion was made by Peter Wilson and seconded by Gwen Kirkby to adopt Local Law #1.

**Local Law Filing**

New York State Department of State  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 55 Washington Avenue  
Albany, NY 12231-0001  
www.dos.ny.gov

(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.

County  City  Town  Village

(Select one.)

of Orleans, New York

Local Law No. 1 of the year 2014

A local law to override the Tax Levy Limit

(Insert Title)

Be it enacted by the Town Board of the

(Name of Legislative Body)

County  City  Town  Village

(Select one.)

of Orleans, New York

as follows:

See attached

(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 2014 of the (County)(City)(Town)(Village) of Orleans, New York was duly passed by the Town Board (Name of Legislative Body) on October 4, 2014, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20\_\_\_\_.~~

~~Such local law was submitted 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 \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved)(not approved) (repassed after disapproval) by the \_\_\_\_\_ (Elective Chief Executive Officer\*) on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ 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 \_\_\_\_\_ 20\_\_\_\_, 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 20\_\_\_\_ of  
the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of  
November \_\_\_\_\_ 20\_\_\_\_, 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 \_\_\_\_\_ above.

(Seal)

*Anna Desautels*  
Clerk of the county legislative body, City, Town or Village Clerk or  
officer designated by local legislative body  
Date: October 09, 2014

TOWN OF ORLEANS

LOCAL LAW NO. 1 FOR 2014

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT  
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

BE IT ENACTED by the Town Board of the Town of Orleans 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 Orleans pursuant to General Municipal Law §3-c, and to allow the Town of Orleans to adopt a budget for the fiscal year beginning January 1, 2015 and ending December 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 the General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax limit by adoption of a local law approved by a vote of at least sixty percent (60%) of the town board.
- Section 3.** **Tax Levy Limit Override:** The Town Board of the Town of Orleans, County of Jefferson is hereby authorized to adopt a budget for the fiscal year 2015 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.
- Section 4.** **Severability:** If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, individual, firm or corporation, or circumstance, shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment 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 judgment or order shall be rendered.
- Section 5.** **Effective Date:** This local law shall take effect immediately upon filing with the Secretary of State.

4. Update from Shookie Millett- Shookie attended Fineview homeowners meeting. Shookie stated that they asked about railing at Bonnie Small's. Shookie stated he has been sending all permits to the county.

5. Update from Steve Dulmage on DPW business- Steve stated jetter is all fixed.

TIP- Steve stated that a pump burned out, not sure what happened. New pump will cost \$47,500. Steve will call Seiwert to see if they can do something.

Fishers Landing- Lift station has been cleaned out. Lift station 6B needs a ball check valve, cost will be \$700.00.

LA Water- Flushed hydrants last week. Installed Lee Gill Jr water line today.

Steve would like to work on old truck that was given to town from Fishers Landing fire department.

Rob Company spoke and stated that he received 2 quotes for TIPark concrete manhole & caps. A motion was made by Thomas Johnston and seconded by Mary Ford Waterman to accept the lowest quote.

Kevin Rarick, Aye

Thomas Johnston, Aye

Gwen Kirkby, Aye

Mary Ford-Waterman, Aye

Peter Wilson, Aye All in favor motion carried

7. Update from Dale Raymo on assessor business – Dale purchased his new tablet, working great.

Dale stated he is finding a lot of new construction which don't have permits, he feels there is no communication. Discussion was held.

Councilman Waterman asked Dale Raymo if he keeps log of mileage. Dale stated yes and he will attach to voucher from now on.

8. Update on Highway issues- Brian stated he is waiting on county to pave Buttermilk Flat Road. Brian wanted to know what the thoughts of all the board members were on purchasing new truck. Brian gave the board a list of repairs on the 2004 truck from date of purchase. Discussion was held.

A motion was made by Gwen Kirkby and seconded by Mary Ford Waterman to purchase a new truck.

*Kevin Rarick, Nay*  
*Thomas Johnston, Aye*  
*Gwen Kirkby, Aye*  
*Mary Ford-Waterman, Aye*  
*Peter Wilson, Aye 4-1 motion carried*

*9. Dump Land – Discussion was held. Supervisor Rarick wanted to make sure board was still interested in selling dump land.*

*Tom – No*  
*Kevin- Yes*  
*Gwen- Yes*  
*Peter- Yes*  
*Mary – Yes*

*Jim Burrows will send letter to neighboring property owners.*

*10. Budget Meeting- October 15, at 7:30pm*

*11. Bridge Update – No update*

*12. SASS Money – Councilman Wilson went to meeting. Pete does not feel it is geared toward the Town of Orleans. Supervisor Rarick stated that they are looking for a donation of \$1,000. Tabled until next month's meeting.*

*13. Brian Eckert asked board why they would want to sell the landfill. Supervisor Rarick stated the town has no use for it. Brian Eckert also asked if the town planned on fixing the Dam in LaFargeville. Kevin stated that the DEC is responsible.*

*Chris Eckert complained about kids in road by school.*

*14. Standard work day resolution for retirement system- A motion was made by Thomas Johnston and seconded by Gwen Kirkby to accept the Standard Work Day Resolution as follows*

**Resolution #25**



Office of the New York State Comptroller  
New York State and Local Retirement System  
Employees' Retirement System  
Police and Fire Retirement System  
110 State Street, Albany, New York 12244-0001

## Standard Work Day and Reporting Resolution for Elected and Appointed Officials

RS 2417-A  
(Rev. 3/14)

BE IT RESOLVED, that the Town of Orleans / 30756 hereby establishes the following standard work days for these titles and  
(Name of Employer) (Location Code)

will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Title	Standard Work Day (Hrs/day) Min. 8 hrs Max. 8 hrs	Name (First and Last)	Social Security Number (Last 4 digits)	Registration Number	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy- mm/dd/yy)	Participates in Employer's Time Keeping System (Yes/No-If Yes, do not complete the last two columns)	Record of Activities Result*	Not Submitted (Check only if official did not submit their Record of Activities)
<b>Elected Officials</b>									
Deputy/Sup/Councilman	8hrs	Peter Wilson	2743	3313083-2	<input type="checkbox"/>	1/1/12-12/31/2017	n	4.5	<input type="checkbox"/>
Councilman		Thomas Johnston Jr.	2733	3326775-8	<input type="checkbox"/>	1/1/12-12/31/2015	n	4.07	<input type="checkbox"/>
Justice	8hrs	Richard Hardy Sr.	5906	3804666-0	<input type="checkbox"/>	1/1/12-12/31/2015	n	6.25	<input type="checkbox"/>
<b>Appointed Officials</b>									
Court Clerk	8hrs	Michele Elmer	9632	3802630-8	<input type="checkbox"/>	1/1/14-12/31/17	n	20.5	<input type="checkbox"/>
Zoning Officer	8hrs	Brad Millett	1427	4153357-1	<input type="checkbox"/>	1/1/12-12/31/15	n	4.0	<input type="checkbox"/>
Historian	8hrs	Kelly Orvis	0197	3849340-9	<input type="checkbox"/>	1/1/12-12/31/15	n	4.0	<input type="checkbox"/>

SEE INSTRUCTIONS FOR COMPLETING FORM ON REVERSE SIDE

I, Tammy Donnelly, secretary/clerk of the governing board of the Town of Orleans, of the State of New York,  
(Name of secretary or clerk) (Circle one) (Name of Employer)  
do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 9 day of  
October, 2014 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Orleans on this 9 day  
of October, 2014. Tammy Donnelly  
(Signature of the secretary or clerk) (Name of Employer)

Affidavit of Posting: I, Tammy Donnelly, being duly sworn, deposes and says that the posting of the  
(Name of secretary or clerk)  
Resolution began on 10/10/14 and continued for at least 30 days. That the Resolution was available to the public on the  
(Date)  
 Employer's website at \_\_\_\_\_  
 Official sign board at Town of Orleans, Municipal Building  
 Main entrance secretary or clerk's office at 20558 Sunrise Ave



Page 1 of 2 (for additional rows, attach a RS2417-B form).

16. Town Board would like to have audit of Town records done for 2010- A motion was made by Peter Wilson and seconded by Gwen Kirkby to have 2010 records audited.

17. Quotes were received from Lynn & Bertha Turner to fix driveway. Discussion was held. Town board will pay for half of the lowest bid when work is complete. (\$1,150.00). Jim Burrows will send them a letter stating this will settle claim. A motion was made by Thomas Johnston and seconded by Peter Wilson to settle claim for 36844 Sprucedale Drive, for damage done by Town of Orleans. Town will pay half on completion in the amount of \$1,150.

Kevin Rarick, Aye  
Thomas Johnston, Aye  
Gwen Kirkby, Aye  
Mary Ford-Waterman, Aye  
Peter Wilson, Aye All in favor motion carried

WORK ORDER		DATE OF ORDER										
 <b>T.J. PAVING</b> 739 MORRISON STREET WATERTOWN, NY 13601 Office: 788-4889 CELL - 778-6330		9-28-14										
<b>ESTIMATES</b>												
BILL TO:		ORDER TAKEN BY:										
ADDRESS: 20244 S. ...		JIM										
CITY:		<input checked="" type="checkbox"/> CONTRACT										
JOB NAME & LOCATION:		JOB PHONE:										
		315-627-4699										
<table border="1"> <tr> <td>RESURFACING</td> <td>2"</td> <td rowspan="4"> <input checked="" type="checkbox"/> <b>RESURFACING 1 1/2"</b>            DESCRIPTION OF WORK            DRIVEWAY            (21x57) SAW CUT            1" FEET FROM ROAD            TO BE RESURFACING            AT 2" ROLLED DOWN            TO 1 1/2"         </td> </tr> <tr> <td>BLACKTOP</td> <td>YES</td> </tr> <tr> <td>STONE</td> <td></td> </tr> <tr> <td>TOPSOIL</td> <td></td> </tr> </table>		RESURFACING	2"	<input checked="" type="checkbox"/> <b>RESURFACING 1 1/2"</b> DESCRIPTION OF WORK DRIVEWAY (21x57) SAW CUT 1" FEET FROM ROAD TO BE RESURFACING AT 2" ROLLED DOWN TO 1 1/2"	BLACKTOP	YES	STONE		TOPSOIL			
RESURFACING	2"	<input checked="" type="checkbox"/> <b>RESURFACING 1 1/2"</b> DESCRIPTION OF WORK DRIVEWAY (21x57) SAW CUT 1" FEET FROM ROAD TO BE RESURFACING AT 2" ROLLED DOWN TO 1 1/2"										
BLACKTOP	YES											
STONE												
TOPSOIL												
MATERIALS:												
LABOR:												
TAX:												
TOTAL AMOUNT:		2,300										
DEPOSIT:												
BALANCE DUE:												
SIGNATURE:												

Bills were audited in the amount of \$252,543.31

A motion was made by Gwen Kirkby and seconded by Peter Wilson to adjourn the meeting.

Kevin Rarick, Aye

Thomas Johnston, Aye

Gwen Kirkby, Aye

Mary Ford-Waterman, Aye

Peter Wilson, Aye All in favor motion carried

Meeting adjourned at 10:50PM

Respectfully Submitted

Tammy Donnelly

Town Clerk