

Regular Meeting
November 1, 2017
6:30 P. M.

Present: Supervisor Lewza
Councilman Blaisdell
Councilwoman Kerr
Councilman Zlotnick - Late
Councilman Ostrander
Town Clerk Mevec

Also Present: Town Attorney Craig

Meeting called to order by Supervisor Lewza.

Pledge to the flag by Councilman Blaisdell.

Motion by Blaisdell seconded by Ostrander to accept the October 18, 2017 minutes as presented.

Blaisdell – yes; Kerr – yes; Ostrander – yes; Lewza – yes. Motion carried.

Motion by Kerr seconded by Blaisdell to set a Special Meeting on Thursday, November 9, 2017 at 6:30 PM.

Blaisdell – yes; Kerr - yes; Ostrander – yes; Lewza - yes. Motion carried.

Motion by Blaisdell seconded by Ostrander to set a Public Hearing on Town of Milton 2018 Town Budget on Thursday, November 9, 2017 at 6:35 PM.

Blaisdell – yes; Kerr - yes; Ostrander – yes; Lewza - yes. Motion carried.

Motion by Ostrander seconded by Kerr to appoint John Bartow as Planning Board member to fill the unexpired term of Steven Cook. Term expires December 31, 2021.

Blaisdell – yes; Kerr - yes; Ostrander – yes; Lewza - yes. Motion carried.

Councilman Zlotnick arrived at 6:40 PM.

Correspondence

Letters from Doug Akins, Eric Culver, and Ray Barnes requesting 40 hours vacation time be carried over into next year.

Motion by Ostrander seconded by Blaisdell authorizing Doug Akins, Eric Culver and Ray Barnes to carry over 40 hours of vacation time to next year upon recommendation of Highway Supt. Forbes.

Blaisdell – yes; Kerr – yes; Zlotnick-yes; Ostrander – yes; Lewza – yes. Motion carried.

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Letters of resignation from Benjamin Potter, Ethics Board and Jeanna Burdick, Court Clerk.

Motion by Ostrander seconded by Zlotnick to accept resignation from Benjamin Potter from Ethics Board with regret.

Blaisdell – yes; Kerr – yes; Zlotnick-yes; Ostrander – yes; Lewza – yes. Motion carried.

Motion by Ostrander seconded by Zlotnick to accept resignation from Jeanna Burdick, Court Clerk with regret.

Blaisdell – yes; Kerr – yes; Zlotnick-yes; Ostrander – yes; Lewza – yes. Motion carried.

Resolution #35 introduced by Zlotnick seconded by Ostrander authorizing adoption by the Town Board of the Town of Milton of a local law to amend the Town Code to add a new section to chapter 4 of the Town Code entitled “property tax levy 2018”, authorizing a property tax levy in excess of the limit established in General Municipal Law 3-c for the tax year 2018 as follows:

WHEREAS, a motion was duly passed by the Town Board of the Town of Milton to set a public hearing to be held by said Board on October 18, 2017 at 6:50 p.m. at the Town Hall to hear all interested parties on a proposed Local Law adding a new “Section 4-6” to Chapter 4 of the Town Code, entitled “Property Tax Levy 2018”, authorizing a Property Tax Levy in excess of the limit established in General Municipal Law §3-c for the tax year 2018; and

WHEREAS, notice of said public hearing was duly advertised in The Saratogian the official newspaper of said Town; and

WHEREAS, said public hearing was held on October 18, 2017 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, said law will allow the Town, if necessary and required, to establish a property tax levy for the tax year 2018, in excess of the 2% cap set by the General Municipal Law; and

WHEREAS, the Town Board of the Town of Milton, after due deliberation, finds it fiscally prudent and in the best interest of said Town and its residents to adopt said Local Law, with the understanding that the tax cap limit will only be exceeded if necessary to pass a sound budget, meet contractual obligations, including operating Town Facilities and funding necessary services and operating costs and expenses, and to properly run the Town business on a day to day basis in the coming year, and

WHEREAS, this Resolution is adopted pursuant to subdivision 5 of General Municipal Law Section 3-c, which expressly authorized the Town Board to override the tax levy limit by the adoption of a Resolution approved by vote of at least sixty percent (60%) of the Town Board;

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NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Milton hereby adopts said Local Law No. 3, 2017 entitled "Property Tax Levy 2018", authorizing a Property Tax Levy in excess of the limit established in General Municipal Law §3-c, a copy of which local law is attached hereto and made part of this Resolution,

LOCAL LAW # 3 - 2017 OF THE TOWN OF MILTON
ADDING SECTION 4-6 TO CHAPTER 4 OF THE TOWN CODE ENTITLED
"PROPERTY TAX LEVY 2018"

Be it enacted by the Town Board of the Town of Milton as follows:

Chapter 4 of the Town Code is amended to add the following new sections:

§ 4-6 TAX LEVY 2018

A. Legislative intent

It is the intent of this section to allow the Town of Milton to adopt a budget for the fiscal year commencing January 1, 2018, that requires a real property tax levy in excess of the 2% tax levy limit as defined by General Municipal Law §3-c.

B. Authority

This chapter 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 at least 60% of said governing body.

C. Tax levy limit override

The Town Board of the Town of Milton, County of Saratoga, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2018, that requires and sets a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

D. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this section or the application thereof by any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this section 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.

E. When effective

This section shall take effect immediately upon filing with the Secretary of State.
and be it further

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RESOLVED, that the Town Board of the Town of Milton, County of Saratoga, is hereby authorized to adopt a budget for the fiscal year 2018 that requires a real property tax levy in excess of said limit otherwise proscribed in General Municipal Law §3-c; and be it further

RESOLVED, that the Town Clerk of the Town of Milton, be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Milton, and to file due notice of the adoption of said Local Law with the Secretary of State of New York.

NOW, THEREFORE BE IT RESOLVED, by order of the Town Board of the Town of Milton, by the following vote thereon:

Blaisdell – yes; Kerr-no; Zlotnick-yes; Ostrander – yes; Lewza-yes. Resolution adopted.

Public Comment

The following people spoke: Jim Staulters; Tom Boghosian; Bruce Boghosian; Mary Ann Morgan; Sergia Coffey and David Forbes.

Motion by Blaisdell seconded by Zlotnick to enter Executive Session for the purposes of discussing the employment history of a certain individual or individuals.

Blaisdell – yes; Kerr – yes; Zlotnick-yes; Ostrander – yes; Lewza – yes. Motion carried.

Motion by Zlotnick seconded by Kerr to return to the regular meeting.

Blaisdell – yes; Kerr – yes; Zlotnick-yes; Ostrander – yes; Lewza – yes. Motion carried.

Motion by Zlotnick seconded by Kerr there being no further business to adjourn.

Blaisdell – yes; Kerr – yes; Zlotnick-yes; Ostrander – yes; Lewza – yes. Motion carried.

Meeting adjourned at 7:35 PM

Respectfully submitted,

William J. Mevec
Town Clerk