

Special Legislature Meeting

November 30, 2022

Chairman Johnson called the meeting to order at 4:51, followed by the Pledge to the Flag. Orleans County Clerk of the Legislature Lisa Stenshorn then gave the invocation.

Clerk Lisa Stenshorn called the roll. All Legislators were present in the Chamber: Legislators Allport, Draper, Eick, Fitzak, Johnson, Miller, and Morgan.

The Clerk presented the following Communication:

Request for Use of Courthouse Square from the Albion Merchants Association to hand a banner promoting Albion Hometown Holiday that is being held on Saturday, December 10, 2022. They would like to have the banner put up December 1, 2022 through December 10, 2022. **Board approval.**

Chairman Johnson began with the presentation of resolutions.

RESOLUTION NO. 560-1122

ADOPTING THE 2023 ORLEANS COUNTY BUDGET

WHEREAS, the 2023 tentative budget for Orleans County was presented to the general public at a public hearing held at 4:30 p.m. on November 30, 2022; and

WHEREAS, this Legislature has reviewed and discussed said tentative budget; now be it

RESOLVED, that this Legislature does hereby adopt the 2023 tentative budget, as the Orleans County budget for 2023, with a tax levy of \$18,657,000.00.

Moved, Draper; second, Fitzak.

Roll Call:

7 ayes: Allport, Draper, Eick, Fitzak, Johnson, Miller, Morgan.

Adopted.

RESOLUTION NO. 561-1122

APPROVING APPORTIONMENT OF THE 2023 GENERAL COUNTY BUDGET

RESOLVED, that the apportionment of the General County Budget for 2023, as prepared by the Director of Real Property Tax Services, be, and hereby is, in all respects approved by this Legislature as provided below:

Town	Adjusted Taxable Value *	Taxable Value	Equal Rate	Value for Apportionment	Portion of Total Levy	2023 Tax Levy
Albion	237,307,012	234,376,492	83%	285,912,063	12.47%	2,326,527.90

Barre	117,333,077	115,753,344	100%	117,333,077	5.12%	955,238.40
Carlton	230,964,496	227,650,356	83%	278,270,477	12.13%	2,263,094.10
Clarendon	207,680,301	203,841,058	100%	207,680,301	9.05%	1,688,458.50
Gaines	134,046,620	131,895,275	83%	161,501,952	7.04%	1,313,452.80
Kendall	171,161,357	169,129,382	81%	211,310,317	9.21%	1,718,309.70
Murray	201,666,004	197,642,617	78%	258,546,159	11.27%	2,102,643.90
Ridgeway	243,714,526	239,232,244	76%	320,677,008	13.98%	2,608,248.60
Shelby	207,465,408	204,733,779	80%	259,331,760	11.31%	2,110,106.70
Yates	167,948,074	165,403,484	87%	193,043,763	8.42%	1,570,919.40
Totals	1,919,286,875	1,889,658,031		2,293,606,877	100.00%	18,657,000.00

Moved, Draper; second, Fitzak.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 562-1122

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID RECYCLING-SOLID WASTE PROGRAM FEES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to add the following 2022 Unpaid Solid Waste/Recycling Fees to the 2023 tax rolls of the several towns in Orleans County:

TOWN		AMOUNT
Albion	Inside	\$15,327.64
	Outside	\$4,697.18
Barre		\$7,169.38
Carlton		\$13,720.57
Clarendon		\$6,427.72
Gaines	Inside	\$247.22
	Outside	\$3,461.08
Kendall		\$6,180.50
Murray	Inside	\$5,191.62
	Outside	\$8,776.29
Ridgeway	Inside	\$7,663.82
	Outside	\$9,888.80
Shelby	Inside	\$11,372.12
	Outside	\$10,383.24
Yates	Inside	\$1,483.32
	Outside	\$8,158.22
TOTAL		\$120,148.72

Moved, Draper; second, Fitzak.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 563-1122

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID SCHOOL TAXES

RESOLVED, that pursuant to a request from the County Treasurer, she be, and hereby is authorized to relevy the unpaid school taxes, adding a 7% penalty; said taxes to be added to the 2023 tax rolls of the respective towns as of November 1, 2022:

TOWN		AMOUNT
Albion	Inside	\$134,580.51
	Outside	\$64,604.49
Barre		\$57,179.77
Carlton		\$262,987.31
Clarendon		\$168,110.99
Gaines	Inside	\$5,454.91
	Outside	\$168,728.40
Kendall		\$138,019.68
Murray	Inside	\$187,208.41
	Outside	\$215,528.15
Ridgeway	Inside	\$161,775.18
	Outside	\$186,692.00
Shelby	Inside	\$204,083.53
	Outside	\$125,335.87
Yates	Inside	\$29,349.19
	Outside	\$127,109.74
TOTAL		\$2,236,748.13

Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 564-1122

AUTHORIZING COUNTY TREASURER TO RELEVY UNPAID VILLAGE TAXES

RESOLVED, that the Orleans County Treasurer, she be, and hereby is authorized to relevy certain unpaid village taxes to the 2023 tax bills, adding a 5% penalty, as follows:

VILLAGE	TOWN	AMOUNT
Village of Albion	Town of Albion	\$167,815.88
	Town of Gaines	\$6,585.67
Village of Holley		\$83,354.86
Village of Lyndonville		\$29,824.60
Village of Medina	Town of Ridgeway	\$100,265.26

	Town of Shelby	\$112,922.97
TOTAL		\$500,769.24

Moved, Draper; second, Fitzak.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 565-1122

AUTHORIZING TOWN LEVIES

WHEREAS, there has been presented to this Legislature a duly certified copy of the annual budget of each of the several towns in the County of Orleans for fiscal year beginning January 1, 2023; now be it

RESOLVED, that there shall be assessed and levied upon and collected from the taxable real property situated in the following named towns outside of any incorporated village, wholly set partially located therein, the amounts indicated below, for the Highway - Townwide; Highway - Outside and Part-Town Outside purposes, as specified in the budgets of the respective towns:

TOWN	HIGHWAY OUTSIDE	HIGHWAY TOWNWIDE	TOWN OUTSIDE
Albion	\$168,260.00	\$402,940.00	
Barre		\$696,644.00	
Carlton		\$678,056.00	
Clarendon		\$430,000.00	
Gaines	\$40,800.00	\$162,640.00	\$15,000.00
Kendall		\$472,705.00	
Murray	\$187,491.00	\$217,756.00	\$31,370.00
Ridgeway	\$175,567.00	\$300,000.00	\$78,845.00
Shelby	\$335,250.00	\$369,250.00	
Yates	\$172,507.50	\$200,867.79	\$11,711.70

and be it

FURTHER RESOLVED, that there shall be, and hereby is, assessed and levied upon and collected from the real property liable, therefore, with the respective Fire Protection and Improvement Districts in the following towns, as indicated, the amounts for the purpose of such districts as follows:

TOWN	DISTRICT	AMOUNT
Albion	Fire Protection	\$129,074.00
	Water District 4	15,920.00
	Water District 5	50,265.00
	Water District 6	16,722.00
	Water District 7	4,447.00
	Water District 8	14,817.00

	Water District 9	7,975.00
	Sew District 1	29,250.00
Barre	Fire District	\$261,000.00
	Water District 2	8,924.00
	Water District 3	8,103.00
	Water District 4	11,660.00
	Water District 5	36,405.00
	Water District 6	46,704.00
	Water District 7	14,459.00
	Water District 8	25,428.00
	Water District 9	25,935.00
Carlton	Fire Protection	\$202,227.00
	Light District I	8,000.00
	Light District II	9,000.00
	Water	370,610.00
Clarendon	Fire Protection	\$201,881.82
	Water District 2	26,789.90
	Water District 3	56,108.36
	Water District 4	46,146.83
	Water District 5	9,728.37
	Water District 6	23,860.00
	Water District 7	39,145.67
	Water District 8	7,215.67
	Water District 9	6,201.25
	Water District #9 Ext	3,621.17
	Water District 10	67,804.81
	Water District 11	66,369.45
	Water District 12	19,348.88
	Water District 13	14,937.50
Gaines	Fire Protection	\$113,000.00
	Water District 2	7,170.00
	Water District 3	5,903.00
	Water District 6	6,405.00
	Water District 7	5,500.00
	Water District 8	7,200.00
	Water District 9	7,600.00
	Water District 10	8,500.00
Kendall	Fire District 1 (Kendall)	\$163,900.00
	Fire District 2 (Morton)	88,519.67
	Light District 1	5,800.00

	Light District 2	3,485.00
	Light District 3	2,075.00
	Water District 1	4,503.00
	Water District 2	11,871.00
	Water District 3	19,537.00
	Water District 4	65,342.00
	Water District 5	14,353.00
	Water District 6	7,952.00
	Water District 7	11,585.00
	Water District 8	31,578.00
	Water District 9	2,699.00
	Water District 10	9,485.00
Murray	Fire District	\$400,685.07
	Light District 1 (Fancher)	2,700.00
	Light District 2 (Hulberton)	4,700.00
	Light District 3 (Brockville)	1,600.00
	Water District 2	13,960.00
	Water District 3	9,083.00
	Water District 4	2,213.00
	Water District 5	1,143.00
	Water District 6	5,780.00
	Water District 7	10,660.00
	Water District 8	6,998.00
	Water District 9	2,488.00
	Water District 10	2,620.00
	Water District 11	83,165.00
	Water District 13	12,687.00
	Water District 14 (Gaines)	5,585.00
	Water District 15	51,225.00
	Water District 16	19,314.00
Ridgeway	Fire Protection	\$209,728.00
	Light	4,000.00
	Water District 2	15,100.00
	Water District 3	28,712.50
	Water District 4	66,281.25
	Water District 5	21,106.25
	Water District 6	11,450.00
	Water District 7	7,174.53
	Water District 8	9,830.38
	Water District 9	4,780.35
	Water District 10	12,109.63
	Water District 11	1,892.50
	Water District 12	14,194.81

	Water District 13	12,097.50
	Water District 14	10,600.00
	Knowlesville Sewer District	30,000.00
Shelby	Fire Protection (Shelby & East Shelby)	\$290,500.00
	Light District 1 (Shelby)	7,500.00
	Light District 2 (Millville)	2,500.00
Yates	Fire District	\$205,086.00
	Water District 4	197,406.15

and be it

FURTHER RESOLVED, that the amount to be raised by tax for all other purposes, as specified in the said several annual budgets as presented to this Legislature, and which are now on file in the Office of the Clerk of the Legislature, shall be, and hereby are assessed, levied upon and collected from all the taxable property in the towns enumerated below, except as otherwise provided by law:

TOWN	REASSESSED WATER BILLS	REASSESSED SEWER BILLS	PROPERTY MAINTENANCE	GENERAL FUND
Albion	914.33			702,969.00
Barre				348,831.00
Carlton				368,194.00
Clarendon	599.88		5,360.00	456,150.00
Gaines	4,311.44			265,755.00
Kendall				275,030.00
Murray	166.32		300.00	382,575.00
Ridgeway	5,614.47			514,967.00
Shelby	27,632.34			450,500.00
Yates	5,820.34			404,267.79

and be it

FURTHER RESOLVED, that such taxes and assessments when collected shall be paid to the Supervisors of the several towns in the amounts as shown by this resolution for distribution to them in the manner provided by law.

Moved, Draper; second, Fitzak.
Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 566-1122

AUTHORIZING COUNTY TREASURER TO CHARGE BACK ERRONEOUS TAXES TO RESPECTIVE COUNTY, TOWN, AND SCHOOL DISTRICTS

RESOLVED, that pursuant to the request of the County Treasurer by letter dated November 22, 2022, she be, and hereby is, authorized to charge back the following erroneous taxes to the respective towns and schools within the County, as follows:

TOWN	TAX MAP #	TAX YEAR	TO COUNTY	TO TOWN	TO SCHOOL	TO SOLID WASTE	TO VILLAGE	COURT ORDER TOTAL	TOTAL
ALBION									
NYS Mental Retardation & Developmental Disabilities	73.5-3-63.2	2022				249.49			249.49
CARLTON									
Merle Draper	4.2-2-20	2022		125.00					125.00
PM Adventures, LLC	8.-1-3	2022	149.83		2,140.43				2,290.26
Cheryl Pool	27.4-3-36	2022	198.57						198.57
Shelva Furness	28.-1-13.12	2022		195.00					195.00
CLARENDON									
Eric & Amanda DiLella	98.-1-30.8	2022	197.59	92.93					290.52
GAINES									
Christopher & Karen Watt	62.-1-5.1	2021	37.61			242.65			280.26
Christopher & Karen Watt	62.-1-5.1	2022				249.49			249.49
Christopher & Karen Watt	62.-1-5.1	2020	48.82			242.63			291.45
MURRAY									
Village of Holley Development	88.21-1-31	2022				249.49			249.49
Kelly & Paul Brennan-Jones	54.-1-29.2	2022	282.44	189.31					471.75
SHELBY									
Lee Whedon Library	79.12-4-16	2022	7.69	2.35	13.57		11.98		35.59
Lee Whedon Library	79.12-4-16	2021	33.48	4.53	26.99		11.70		76.70
YATES									
Connie Heschke	2.-1-40.2	2022	393.38	203.47					596.85
Agnes Christine Sherry	3.-1-40.2	2022	46.66	27.77					74.43
TOTALS			\$1,396.07	\$840.36	\$2,180.99	\$1,233.75	\$23.68		\$5,674.85

Grand Total = \$5,674.85

Moved, Draper; second, Fitzak.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 567-1122

AUTHORIZING LEVYING CHARGE BACKS

WHEREAS, the County Treasurer has reported to this Legislature that she has charged the several towns of Orleans County for erroneous and refunded taxes; be it

RESOLVED, that this Legislature authorizes the following amounts to be levied against the respective towns:

TOWN	OUTSIDE	INSIDE
Albion		
Barre		
Carlton	320.00	
Clarendon	92.93	
Gaines		
Kendall		
Murray	189.31	
Ridgeway		
Shelby		6.88
Yates	231.24	

Total amount charged to Towns: \$840.36

Moved, Draper; second, Fitzak.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 568-1122

APPROVING CHARGE BACKS TO TOWNS FOR DATA MANAGEMENT SERVICES, USER FEES, TAX BILLS, AND RATE AND MAP FILES

RESOLVED, that this Legislature authorizes charge backs for Data Management Services, user fees, tax bills, and rate and map files to be levied on to the 2023 taxes, as follows:

CHARGEBACKS TO TOWNS FOR 2023

TOWN		NO. OF PARCELS	REAL PROPERTY	TAX COLLECTOR USER FEES	RATE & MAP FILES	RPS USER FEES	TOTAL	TOTAL TOWN
Albion	Inside	1586	\$1,982.50		\$150.00	\$1,676.00	\$1,982.50	5,016.00
	Outside	966	1,207.50		\$150.00		3,033.50	
Barre		1437	1,796.25		\$150.00	1,455.00	3,401.25	3,401.25
Carlton		2473	3,091.25		\$150.00	1,986.00	5,227.25	5,227.25
Clarendon		2015	2,518.75	\$241.80	\$150.00	1,840.00	4,750.55	4,750.55

Gaines	Inside	230	287.50			843.00	287.50	2,596.75
	Outside	1053	1,316.25		\$150.00		2,309.25	
Kendall		1657	2,071.25		\$150.00	1,526.00	3,747.25	3,747.25
Murray	Inside	684	855.00			1,874.00	855.00	4,675.25
	Outside	1437	1,796.25		\$150.00		3,820.25	
Ridgeway	Inside	1386	1,732.50			2,306.00	1,732.50	6,413.50
	Outside	1780	2,225.00		\$150.00		4,681.00	
Shelby	Inside	942	1,177.50			1,935.00	1,177.50	4,977.50
	Outside	1372	1,715.00		\$150.00		3,800.00	
Yates	Inside	387	483.75			1,559.00	483.75	3,907.75
	Outside	1372	1,715.00		\$150.00		3,424.00	
TOTALS		20,777	\$25,971.25	\$241.80	\$1,500.00	\$17,000.00	\$44,713.05	\$44,713.05

Moved, Draper; second, Fitzak.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 569-1122

SETTING UNIT CHARGE FOR 2023 COUNTY SOLID WASTE/RECYCLING PROGRAM

RESOLVED, that this Legislature sets the unit charge for the 2023 County Solid Waste/Recycling Program at the following rate:

One unit of Service	\$ 214.00
One-half unit of Service	\$ 107.00

and, be it

FURTHER RESOLVED, that an Administrative Fee of \$2.00 shall be added to each unit of service, and a \$1.00 fee to each half unit of service.

Moved, Draper; second, Fitzak.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 570-1122

APPROVING ABSTRACT OF 2023 SOLID WASTE/RECYCLING PROGRAM FEES

RESOLVED, that the Abstract of 2023 Recycling - Solid Waste Program Fees, as prepared by the Clerk, be, and hereby is, approved by this Legislature as follows:

TOWN	NO. OF UNITS	*COST PER UNIT	TOTAL TO BE COLLECTED
Albion	2096.00	216.00	\$ 452,736.00
Barre	780.00	216.00	\$ 168,480.00
Carlton	1576.00	216.00	\$ 340,416.00
Clarendon	1093.50	216.00	\$ 236,196.00

Gaines	1067.50	216.00	\$ 230,580.00
Kendall	1115.00	216.00	\$ 240,840.00
Murray	1599.00	216.00	\$ 345,384.00
Ridgeway	2494.00	216.00	\$ 538,704.00
Shelby	1723.50	216.00	\$ 372,276.00
Yates	1171.50	216.00	\$ 253,044.00
TOTALS	14,716.00		\$3,178,656.00

*Includes \$2.00 Administrative charge per unit.

Moved, Draper; second, Fitzak.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 571-1122

APPROVING ABSTRACTS OF TAX ROLLS

RESOLVED, that the Abstract of Taxes, as prepared by the Clerk, they being Abstract of Tax Rolls (1) Assessments, Tax Rates and Levies; (2) Amount and Purpose of Taxes for Town Expenditure; (3) Amount and Purpose of Taxes for County Expenditure and all other matters therein contained, be and hereby are, adopted by this Legislature and that the several items of taxes and levies set forth be levied upon respective tax districts of the county and be fixed as the tax rates for the extension of taxes in such districts.

Moved, Draper; second, Fitzak.
 Adopted. 7 ayes; 0 nays; 0 absent.

RESOLUTION NO. 572-1122

APPROVING COMPLETED TAX ROLLS AND DIRECTING THE EXECUTION AND DELIVERY OF WARRANTS

WHEREAS, upon the tax rolls of the several Towns the several taxes have been duly extended as provided by law; it is

RESOLVED, that the tax rolls be approved as so completed, and that the taxes so extended against each parcel of property upon the said rolls are hereby determined to be the taxes due thereon as set forth therein; and it is

FURTHER RESOLVED, that there be annexed to each of said rolls, a tax warrant under seal of the Legislative Body in the form prepared by the Clerk as provided by Section 904 of the Real Property Tax Law; that such warrants shall be in the respective amounts heretofore authorized to be levied upon each of said rolls; and that said rolls with said warrants annexed are to be forthwith delivered to the respective collectors of the several tax districts of the County.

Moved, Draper; second, Fitzak.
 Adopted. 7 ayes; 0 nays; 0 absent.

Chairman Johnson asked for any unfinished business, hearing none the public was offered a time to speak. There being none, Legislator Allport made a motion to adjourn the meeting, seconded by Legislator Draper. The meeting closed at 5:09 p.m.