

**Legislature Meeting
November 30, 2023**

Chairman Lynne Johnson called the meeting to order at 5:18 p.m., followed by the Pledge to the Flag. Veterans Services Agency Director Nancy Traxler then gave the invocation.

Clerk Lisa Stenshorn called the roll. Legislators present in the Chambers: Allport, Eick, Fitzak, Johnson, Miller and Morgan. Legislator Draper was absent.

Chairman Johnson began with the presentation of resolutions.

Legislator Allport stated that over the history of NYS, counties have brought numerous against lawsuits against Albany about regulation cost being pushed down to the counties. Every time, the courts ruled, we cannot sue the mother state. Albany controls 90% of what goes on at the county, town and level. As a legislator my first task is to represent the people that have entrusted me in this public arena. I am grateful and very humbled that I am sitting here. My second task as a Legislator is to make sure that our county stays financially viable. The day we don't do this, Albany will appoint a board of directors to run the finances of the County. Four of these people are appointed by the governor and there would be one from Orleans County. A four to one vote would change our too be run like Albany. As a resident I would lose any say in the County Government and they would run our money. I want to commend the Budget Officers, Legislators, Department Heads and Employees on the daily task of running the departments efficiently and cost effectively. This is tax payers' money, not ours. 2024 is going to be one for the books. The current economics of this county is going to be discussed among economists and taught in future economic budget classes. I hope the finance institutions are wrong. The Federal Government has a \$3.32 trillion increase in taxes. The tax cuts that were implemented during President Trumps administration are going to expire over the next 18 months and they won't be renewed. That is a 50% increase on individual tax exemption and a 50% increase on small businesses. Small businesses are the back bone of the American economy. There will be a major hit in the next 18 months. There are always discussions that involve budgets. From the diligence of this Legislature and Department Heads of our employees both the current and previous Legislators have been very fiscally responsible for the tax very payer's money. Orleans County is setting a very secure and stable status. There is no doubt in my mind that we will whether the storm coming in 2024. I am hoping as an American that in 2025, more patriotic Americans are in charge and lesson government control and lower taxes. When that happens in a free enterprise and capitalistic system, the American people are phenomenal. They will create and produce and wealth will be generated. If that doesn't happen in 2025, God help us all. Thank you very much.

RESOLUTION NO. 571-1123

ADOPTING THE 2024 ORLEANS COUNTY BUDGET

WHEREAS, the 2024 tentative budget for Orleans County was presented to the general public at a public hearing held at 4:30 p.m. on November 30, 2023; and

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

RESOLVED, that this Legislature does hereby adopt the 2024 tentative budget, as the Orleans County budget for 2024, with a tax levy of \$19,264,000.00.

Moved, Fitzak; second, Morgan.

Roll Call: 6 ayes: Allport, Eick, Fitzak, Johnson, Miller, Morgan; 0 nays; 1 absent: Draper.
Adopted.

RESOLUTION NO. 572-1123

APPROVING APPORTIONMENT OF THE 2024 GENERAL COUNTY BUDGET

RESOLVED, that the apportionment of the General County Budget for 2024, 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	2024 Tax Levy
Albion	235,844,722	233,211,567	74%	318,709,084	12.29%	2,367,545.60
Barre	118,212,429	116,740,751	90%	131,347,143	5.07%	976,684.80
Carlton	304,511,282	300,766,754	100%	304,511,282	11.75%	2,263,520.00
Clarendon	210,448,658	206,728,155	90%	233,831,842	9.02%	1,737,612.80
Gaines	136,489,810	134,379,190	74%	184,445,689	7.12%	1,371,596.80
Kendall	227,175,072	224,980,104	100%	227,175,072	8.76%	1,687,526.40
Murray	202,280,027	198,777,510	70%	288,971,467	11.15%	2,147,936.00
Ridgeway	372,550,731	366,884,710	100%	372,550,731	14.37%	2,768,236.80
Shelby	304,136,144	300,662,254	100%	304,136,144	11.73%	2,259,667.20
Yates	167,643,685	165,261,520	74%	226,545,520	8.74%	1,683,673.60
Totals	2,279,292,560	2,248,392,515		2,592,223,974	100.00%	19,264,000.00

Moved, Fitzak; second, Morgan.

Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 573-1123

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 2023 Unpaid Solid Waste/Recycling Fees to the 2024 tax rolls of the several towns in Orleans County:

TOWN	AMOUNT
Albion	Inside \$17,058.19
	Outside \$5,933.22
Barre	\$7,169.30
Carlton	\$10,259.57
Clarendon	\$5,686.06

Gaines	Inside	\$494.44
	Outside	\$4,697.18
Kendall		\$6,180.50
Murray	Inside	\$4,202.74
	Outside	\$9,517.95
Ridgeway	Inside	\$10,630.46
	Outside	\$12,113.78
Shelby	Inside	\$11,619.34
	Outside	\$8,652.70
Yates	Inside	\$1,977.76
	Outside	\$8,899.84
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TOTAL		\$125,093.03

Moved, Fitzak; second, Morgan.
 Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 574-1123

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 2024 tax rolls of the respective towns as of November 1, 2023:

TOWN		AMOUNT
Albion	Inside	\$177,639.44
	Outside	\$83,217.18
Barre		\$73,734.47
Carlton		\$246,894.83
Clarendon		\$161,587.84
Gaines	Inside	\$7,528.86
	Outside	\$95,744.35
Kendall		\$200,390.55
Murray	Inside	\$119,484.46
	Outside	\$236,686.62
Ridgeway	Inside	\$147,420.54
	Outside	\$174,781.75
Shelby	Inside	\$149,912.09
	Outside	\$144,966.10
Yates	Inside	\$22,404.32
	Outside	\$137,851.35
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TOTAL		\$2,180,244.75

Moved, Fitzak; second, Morgan.
 Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 575-1123

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 2024 tax bills, adding a 5% penalty, as follows:

VILLAGE	TOWN	AMOUNT
Village of Albion	Town of Albion	\$175,346.12
	Town of Gaines	\$7,108.52
Village of Holley	Town of Murray	\$51,351.76
Village of Lyndonville	Town of Yates	\$18,833.46
Village of Medina	Town of Ridgeway	\$116,955.78
	Town of Shelby	\$154,863.87
TOTAL		\$524,459.51

Moved, Fitzak; second, Morgan.
 Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 576-1123

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, 2024; 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	\$200,000.00	\$495,555.00	\$30,000.00
Barre		\$706,644.00	
Carlton		\$689,256.00	
Clarendon		\$454,000.00	
Gaines	\$41,600.00	\$165,890.00	\$15,000.00
Kendall		\$489,639.00	
Murray	\$197,491.00	\$247,756.00	\$21,370.00
Ridgeway	\$175,122.00	\$290,160.00	\$85,076.00
Shelby	\$350,500.00	\$450,500.00	
Yates	\$178,913.50	\$206,479.47	\$11,955.00

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	\$115,362.00
	Water District 4	15,800.00
	Water District 5	0.00
	Water District 6	15,592.00
	Water District 7	4,420.00
	Water District 8	14,817.00
	Water District 9	7,875.00
	Sewer District 1	35,000.00
Barre	Fire District	\$282,900.00
	Water District 2	8,872.00
	Water District 3	8,058.00
	Water District 4	11,595.00
	Water District 5	35,980.00
	Water District 6	46,173.00
	Water District 7	14,301.00
	Water District 8	26,139.00
	Water District 9	25,690.00
Carlton	Fire Protection	\$210,349.00
	Light District I	8,500.00
	Light District II	11,000.00
	Water	370,990.00
Clarendon	Fire Protection	\$229,200.00
	Water District 2	26,788.99
	Water District 3	51,350.88
	Water District 4	45,571.77
	Water District 5	10,074.81
	Water District 6	22,555.00
	Water District 7	36,672.16
	Water District 8	7,096.33
	Water District 9	6,093.75
	Water District #9 Ext	3,677.48
	Water District 10	62,847.63
	Water District 11	59,788.37
	Water District 12	17,510.63
Water District 13	14,725.00	
Gaines	Fire Protection	\$116,390.00
	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)	\$175,676.00
	Fire District 2 (Morton)	86,157.00
	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	11,721.00
	Water District 3	19,057.00
	Water District 4	65,392.00
	Water District 5	12,078.00
	Water District 6	8,224.00
	Water District 7	11,282.00
	Water District 8	31,410.00
	Water District 9	3,604.00
	Water District 10	10,492.00
Murray	Fire District	\$525,018.00
	Light District 1 (Fancher)	2,600.00
	Light District 2 (Hulberton)	4,700.00
	Light District 3 (Brockville)	1,600.00
	Water District 2	13,830.00
	Water District 3	9,003.00
	Water District 4	2,193.00
	Water District 5	1,133.00
	Water District 6	5,730.00
	Water District 7	9,575.00
	Water District 8	5,943.00
	Water District 9	2,467.00
	Water District 10	2,600.00
	Water District 11	82,595.00
	Water District 13	9,602.00
	Water District 14 (Gaines)	2,733.00
	Water District 15	50,752.00
	Water District 16	19,104.00
Ridgeway	Fire Protection	\$214,252.00
	Light	4,000.00
	Water District 2	14,700.00
	Water District 3	33,012.50
	Water District 4	65,481.25
	Water District 5	25,606.25
	Water District 6	11,250.00
	Water District 7	7,037.58
	Water District 8	9,668.53

	Water District 9	4,705.65
	Water District 10	14,142.50
	Water District 11	1,871.25
	Water District 12	14,054.81
	Water District 13	11,987.50
	Water District 14	10,521.25
	Knowlesville Sewer District	37,132.00
Shelby	Fire Protection (Shelby & East Shelby)	\$345,152.00
	Light District 1 (Shelby)	7,500.00
	Light District 2 (Millville)	2,500.00
Yates	Fire District	\$210,050.00
	Water District 4	196,106.06

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	27,095.27			768,800.00
Barre	943.41			348,831.00
Carlton				388,194.00
Clarendon			3,405.00	436,150.00
Gaines				271,070.00
Kendall				278,238.00
Murray	654.80			395,100.00
Ridgeway	9,522.49			544,789.00
Shelby	28,923.37			215,000.00
Yates	5,093.13			416,511.00

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, Fitzak; second, Morgan.

Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 577-1123

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 27, 2023, 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 #	YEAR	TO COUNTY	TO TOWN	TO SCHOOL	TO SOLID WASTE	TO VILLAGE	COURT ORDER TOTAL	TOTAL
CARLTON									
Allen Keiffer Jr	29.-1-29.112	2023		125.00					125.00
CLARENDON									
Andrea & Lawrence Moore II	120.-1-56.2	2023	137.06	71.65					208.71
Joanne Best & Stephen Krill	98.-1-10.21	2023	142.05	74.26					216.31
MURRAY									
Lewis & Marsha DeFilipps	77.17-2-67	2023					1,586.26		1,586.26
SHELBY									
Valdez/Nicholas/Land Bank	80.45-3-54	2023	430.62	124.42	700.41	463.22	1,212.00		2,930.67
Valdez/Nicholas/Land Bank	80.45-3-54	2018-2022	3,881.32	591.83	3,602.90	977.40	4,385.85		13,439.30
Rena & John Unger	80.45-3-78.2	2022-2023	29.22	7.67	40.63		36.32		113.84
YATES									
Richard & Naomi Stauffer	14.-1-13.121	2023	782.92	499.70					1,282.62
Bruce & Elsbeth Fumia	24.-1-44.1	2021-2023	42.17	25.86					68.03
TOTALS			\$5,445.36	\$1,520.39	\$4,343.94	\$1,440.62	\$7,220.43		\$19,970.74

Moved, Fitzak; second, Morgan.
Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 578-1123

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	125.00	
Clarendon	145.91	
Gaines		
Kendall		
Murray		
Ridgeway		
Shelby		723.92
Yates	525.56	
Total amount charged to Towns: \$1,520.39		

Moved, Fitzak; second, Morgan.
 Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 579-1123

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 2024 taxes, as follows:

CHARGEBACKS TO TOWNS FOR 2024

TOWN		NO. OF PARCELS	REAL PROPERTY	TAX COLLECTOR USER FEES	RATE & MAP FILES	RPS USER FEES	TOTAL	TOTAL TOWN
Albion	Inside	1584	\$1,980.00		\$150.00	\$1,673.00	\$1,980.00	5,008.00
	Outside	964	1,205.00		\$150.00		3,028.00	
Barre		1446	1,807.50		\$150.00	1,459.00	3,416.50	3,416.50
Carlton		2473	3,091.25		\$150.00	1,984.00	5,225.25	5,225.25
Clarendon		2030	2,537.50	\$243.60	\$150.00	1,844.00	4,775.10	4,775.10
Gaines	Inside	230	287.50			842.00	287.50	2,597.00
	Outside	1054	1,317.50		\$150.00		2,309.25	
Kendall		1649	2,061.25		\$150.00	1,523.00	3,747.25	3,734.25
Murray	Inside	684	855.00			1,874.00	855.00	4,680.25
	Outside	1441	1,801.25		\$150.00		3,825.25	
Ridgeway	Inside	1386	1,732.50			2,306.00	1,732.50	6,422.25
	Outside	1787	2,233.75		\$150.00		4,689.75	
Shelby	Inside	942	1,177.50			1,934.00	1,177.50	4,976.50
	Outside	1372	1,715.00		\$150.00		3,799.00	
Yates	Inside	389	486.25			1,561.00	486.25	3,922.25
	Outside	1380	1,725.00		\$150.00		3,436.00	
TOTALS		20,811	\$26,013.75	\$243.60	\$1,500.00	\$17,000.00	\$44,757.35	\$44,757.35

Moved, Fitzak; second, Morgan.

Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 580-1123

SETTING UNIT CHARGE FOR 2024 COUNTY SOLID WASTE/RECYCLING PROGRAM

RESOLVED, that this Legislature sets the unit charge for the 2024 County Solid Waste/Recycling Program at the following rate:

One unit of Service	\$ 218.00
One-half unit of Service	\$ 109.00

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, Fitzak; second, Morgan.

Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 581-1123

APPROVING ABSTRACT OF 2024 SOLID WASTE/RECYCLING PROGRAM FEES

RESOLVED, that the Abstract of 2024 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	2,100.00	220.00	\$ 462,000.00
Barre	781.00	220.00	\$ 171,820.00
Carlton	1,583.00	220.00	\$ 348,260.00
Clarendon	1,092.50	220.00	\$ 240,350.00
Gaines	1,061.50	220.00	\$ 233,530.00
Kendall	1,114.00	220.00	\$ 245,080.00
Murray	1,599.00	220.00	\$ 351,780.00
Ridgeway	2,491.00	220.00	\$ 548,020.00
Shelby	1,724.50	220.00	\$ 379,390.00
Yates	1,176.50	220.00	\$ 258,830.00
TOTALS	14,723.00		\$3,239,060.00

Moved, Fitzak; second, Morgan.

Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 582-1123

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, Fitzak; second, Morgan.
Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 583-1123

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, Fitzak; second, Morgan.
Adopted. 6 ayes; 0 nays; 1 absent: Draper.

RESOLUTION NO. 584-1123

AUTHORIZING DISTRIBUTION OF MORTGAGE TAX RECEIPTS

WHEREAS, this Legislature is in receipt of the Semi-annual Mortgage Tax Report showing the amounts to be credited to each tax District of Orleans County, of the money collected during the preceding six months ending September 30, 2023; and be it

RESOLVED, that pursuant to Section 261 of the Tax Law, this Legislature issues a Tax Warrant for the payment of the respective taxed districts of the amounts so credited, and authorizes and directs the Orleans County Treasurer to pay said amounts to the respective districts in accordance with this report, as follows:

Mortgage Tax Apportionment
April 1, 2023 through September 30, 2023

	Town Taxable	Double	Village Taxable	Rate	Due Town	Village Share	Town Share
Albion	\$234,412,021	468,824,042	128,408,688	27.39%	\$35,151.50	\$9,627.83	\$25,523.67
Barre	\$117,582,555				\$10,750.27		\$10,750.27
Carlton	\$301,083,941				\$17,454.16		\$17,454.16
Clarendon	\$206,824,775				\$19,456.94		\$19,456.94
Gaines	\$135,151,230	270,302,460	24,459,244	9.05%	\$164,878.38	\$14,919.58	\$149,958.80
Kendall	\$225,178,654				\$21,732.40		\$21,732.40
Murray	\$198,784,890	397,569,780	60,350,244	15.18%	\$49,413.60	\$7,500.88	\$41,912.72
Ridgeway	\$367,252,410	734,504,820	156,604,752	21.32%	\$31,909.06	\$6,803.37	\$25,105.69
Shelby	\$300,809,939	601,619,878	122,890,122	20.43%	\$80,263.57	\$16,395.07	\$63,868.50
Yates	\$165,196,689	330,393,378	30,597,571	9.26%	\$27,401.43	\$2,537.63	\$24,863.80
					\$458,411.31	\$57,784.36	\$400,626.95

Moved, Fitzak; second, Morgan.

Adopted. 6 ayes; 0 nays; 1 absent: Draper.

Chairman Johnson asked for any old or unfinished business, hearing none the public was offered a time to speak. There being none offered, Legislator Morgan made a motion to adjourn the meeting, seconded by Legislator Fitzak. The meeting was adjourned at 5:29 p.m.