

**TOWN OF FORESTPORT  
REGULAR TOWN BOARD MEETING MINUTES  
WOODGATE FIRE HALL  
October 21, 2020 @ 6:30 PM**

**MEMBERS PRESENT**

Councilwoman Kardash  
Councilwoman Abrial  
Councilman Scouten  
Supervisor Entwistle

**MEMBERS ABSENT**

Councilman Scott

Tracy Terry, Town Clerk

**CALL TO ORDER:**

The meeting was called to order at 6:32 PM

**ABSTRACTS:**

**GENERAL:**

A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to pay Abstract #10, Vouchers #530- #581 in the amount of \$24,645.10

Roll call vote:

Councilwoman Kardash -yes  
Councilman Scott- absent  
Councilman Scouten- yes  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

**HIGHWAY:**

A motion was made by Councilman Scouten and seconded by Councilwoman Kardash to pay Abstract #10, vouchers #239- #281 in the amount of \$70,438.31.

Roll call vote:

Councilwoman Kardash - yes  
Councilman Scott-absent  
Councilman Scouten- yes  
Councilwoman Abrial – yes  
Supervisor Entwistle-yes

- \$30,000 is from salt, retirement and health insurance.

**PLANNING BOARD ESCROW:** A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to pay Abstract #10, Vouchers # 7-#8 in the amount of \$450.00.

Roll Call Vote:

Councilwoman Kardash - yes  
Councilman Scott-absent  
Councilman Scouten- yes  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

**TOWN CLERK MINUTES:**

A motion was made by Councilman Scouten and seconded by Councilwoman Abrial to accept the minutes from the:

Public meeting Minutes-regarding Placing an additional tax line item to fund Ambulance Services- September 10, 2020  
Town Board Meeting Minutes- September 16, 2020  
Budget Workshop Minutes- September 28, 2020  
Budget Workshop Minutes- October 5, 2020  
Public hearing- Overriding NYS Tax cap for 2021-October 5, 2020

Councilwoman Kardash- yes  
Councilman Scott-absent  
Councilman Scouten- yes  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

**TOWN CLERK'S REPORT:**

**JUSTICE REPORT:**

**PLANNING REPORT:**

**CODES REPORT:**

A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to approve the reports as a whole.

Roll Call Vote:

Councilwoman Kardash - yes  
Councilman Scott-absent  
Councilman Scouten- yes  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

### **EXECUTIVE SESSION:**

A motion was made by Councilwoman Kardash and seconded by Councilman Scouten to enter into Executive Session regarding legal matters.

Roll Call Vote:

Councilwoman Kardash -yes

Councilman Scott- absent

Councilman Scouten- yes

Councilwoman Abrial - yes

Supervisor Entwistle-yes

The Board returned from Executive session at 6:53 with no action taken.

### **NOCCOG:**

- Lisa Bellinger introduced herself as the new Circuit Rider for NOCCOG. She hopes to come to the majority of the Town Board meetings. She went over Planning Workshops, Inactive Storage area Workshop and the Black River Watershed Conference.

### **OLD BUSINESS BOARD:**

- **Site Review Law Changes:** There were changes made to Section 9.1 of the Site review Law “Signs” and the Fee Structure. The Local Law has been sent to the State and should take place the first of January.
- **Cemetery Road:** The Town is accepting sealed bids for the property on Cemetery Road. There is approximately 16 acres of land with approximately 1600 feet of road frontage. Bids will be accepted until November 18, 2020 at 2pm. The minimum bid is \$15,000.
- **Bear Creek Lodge Roads:** Supervisor Entwistle read the following Resolution aloud:

**Town of Forestport Resolution No. 8 of 2020**

**Dedication of Hemlock Road, Perch Pond Road, and Deer Hollow Road to the Town of Forestport**

WHEREAS, Deer Hollow Road, Perch Pond Road, and Hemlock Road are private roads within the Town of Forestport, and,

WHEREAS, the owners of these roads wish to have them plowed and maintained by the Town of Forestport, and,

WHEREAS, these roads must become town roads in order to be plowed and maintained by the Town of Forestport, and,

WHEREAS, the owners of these roads are ready and willing to dedicate them to the Town of Forestport, and

WHEREAS, Highway Superintendent William Gardner has inspected the roads, noted their mileage, and found them to be of worthy condition for plowing and maintenance by the Town of Forestport, and,

WHEREAS, Superintendent Gardner has recommended to the own Board that these roads be accepted by the Town,

NOW THEREFORE BE IT RESOLVED, by the Town of Forestport that Deer Hollow Road, from Pit Four Road to the dead end, (.3 miles); Hemlock Road, from Pit Four Road to Perch Pond Road, (.7 miles); and Perch Pond Road, from Hemlock Road to Hemlock Road, (.15 miles), are hereby dedicated to the Town of Forestport, and will be plowed and maintained by the Town in a manner consistent with town roads within the Town of Forestport PROVIDED ALL PROPERTY OWNERS ON THE AFOREMENTIONED ROADS SUBMIT DEED RELEASES TO THE TOWN OF FORESTPORT

Motion: Ron Scouter

Second: Danielle Abrial

Unanimously adopted,

Tracy Terry

I, Tracy Terry, Town Clerk of the Town of Forestport do hereby certify that the foregoing is a true copy and the whole thereof, of a resolution duly adopted by the Town Board of the Town of Forestport on the 21<sup>st</sup> of October 2020 <sup>Regular Mtg</sup> IN WITNESS THEREOF, I have hereunto subscribed by my name this 21<sup>st</sup> day of October 2020

A motion was made by Councilman Scouten and seconded by Councilwoman Abrial to accept the Resolution.

Roll Call Vote:

Councilwoman Kardash -yes  
Councilman Scott- absent  
Councilman Scouten- yes  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

### **NEW BUSINESS BOARD:**

- **Hulser Subdivision:** There was a miscommunication with the Planning Department, and they had approved it when it should've been referred to the Town Board for a Variance. There is a letter from the Planning Board to the Town Board which Supervisor Entwistle read aloud. The Town Attorney and the Chairman of the Planning Board are asking the Town Board to grant the Variance.

A motion was made by Councilman Scouten and seconded by Councilwoman Kardash to approve the Variance.

Roll Call Vote:

Councilwoman Kardash -yes  
Councilman Scott- absent  
Councilman Scouten- yes  
Councilwoman Abrial - yes  
Supervisor Entwistle-yes

- **Budget Season:** There were two budget workshops. Supervisor Entwistle presented the Town Clerk the Preliminary 2021 Budget. From now until November 2<sup>nd</sup>, a copy will be available for inspection. No changes will be made to the Budget from now until then.
- **Overriding the Tax Cap for 2021:** Supervisor Entwistle went over the tax increases discussed at the previous meetings. It is a 24% increase in taxes. The majority is for Fire and Safety. Supervisor Entwistle read the Resolution and the Local Law aloud.

#9 of 2020

**A RESOLUTION TO INTRODUCE LOCAL LAW # 3 OF THE YEAR 2020 TO  
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL  
LAW §3-C**

**WHEREAS**, the Forestport Town Board has been made aware of the passage by the State legislature §3-C of the New York State General Municipal Law (GML), and

**WHEREAS**, §3-C GML provides for a “tax cap” on tax levies by municipalities, and

**WHEREAS**, Revenues to the Town of Forestport from sales tax has been greatly reduced due to mandated closings of businesses due to the pandemic caused by the Covid-19 virus.

Now therefore it is,

**RESOLVED**, that the Local Law #1 of 2021 “A Local Law to Override the Tax Levy Limit Established in General Municipal Law §3-C” be, and the same is hereby introduced before the Town Board of the Town of Forestport, New York, to read in substantially the following form:

**Section 1. Legislative Intent**

It is the intent of the local law to allow The Town of Forestport to adopt a budget for the fiscal year commencing January 1, 2021 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 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 sixty percent (60%) of said governing body.

**Section 3. Tax Levy Limit Override**

The Town Board of Forestport is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2021 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-C.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgement shall not affect, impair, or invalidate the remainder of this local law, 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 judgement or order shall be rendered.

**Section 5. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

*Tracy M. Terry*

**LOCAL LAW # 3 OF THE YEAR 2020 FOR THE TOWN OF FORESTPORT  
TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL  
LAW §3-C**

**Section 1. Legislative Intent**

It is the intent of the local law to allow The Town of Forestport to adopt a budget for the fiscal year commencing January 1, 2021 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-C.

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**Section 5. Effective Date**

This local law shall take effect immediately upon filing with the Secretary of State.

A motion was made by Councilman Scouten and seconded by Councilwoman Abrial to approve the Local Law to override the tax levy limit.

Roll Call Vote:

Councilwoman Kardash -yes

Councilman Scott- absent

Councilman Scouten- yes

Councilwoman Abrial - yes

Supervisor Entwistle-yes

- **Apex Community Grant:** Jen Piper has applied for the Grant to help fund the recreation program for 2021 in the amount of \$1500.

**NEW BUSINESS PUBLIC:**

- Ron Davies, President of Trakside Blazers Snowmobile Club gave pictures to the Town Board. He discussed chevron signs being placed inappropriately on Dutch Hill Road. Discussion took place. Supervisor Entwistle stated he would speak with the Highway Department and touch base with Ron later on.

**ADJOURNMENT:**

A motion was made by Councilwoman Kardash and seconded by Councilwoman Abrial to adjourn the meeting.

Roll call vote:

Councilwoman Kardash-yes

Councilman Scott-absent

Councilman Scouten-yes

Councilwoman Abrial- yes

Supervisor Entwistle-yes

There being no further business, the meeting was adjourned at 7:28 pm by Supervisor Entwistle.

Respectfully submitted,

Tracy M. Terry  
Forestport Town Clerk