

**Town of Washington**  
**Town Board**  
**October 4, 2018**

The Town Board of the Town of Washington held a special meeting on Thursday, October 4, 2018, at the Town Hall, 10 Reservoir Drive, Millbrook, NY. Supervisor Gary Ciferri called the meeting to order at 6:00 PM with the following present: Councilmen Stephen Turletes, Robert Audia, Al De Bonis and Michael Murphy, Town Clerk Mary Alex, Bookkeeper to the Supervisor Lois Petrone and Attorney Jeffrey Battistoni.

Resident Howard Schuman was present.

Supervisor Ciferri opened the meeting with the Pledge of Allegiance.

On a motion made by Councilman Audia and seconded by Councilman De Bonis the Town Board opened the Public Hearing on the Proposed Solar Building Permit Fees which are as follows:

Application fee of \$150.00 plus

Type	Size	Fee	Escrow
Residential	Up to 200 kw	\$150.00	\$150.00
Residential	Over 200 kw	\$250.00	\$250.00
Non-Residential	Up to 200 kw	\$2500.00	\$2500.00
Non-Residential	Over 200 kw	\$7500.00	\$7500.00

The vote was as follows:

Supervisor Ciferri:           Aye  
Councilman Turletes:       Aye  
Councilman Audia:           Aye  
Councilman De Bonis:       Aye  
Councilman Murphy:         Aye

Councilman De Bonis said the Board has all received a letter from YSG Solar requesting that the fees be lowered from what has been proposed. In addition, they felt an Escrow fee was unnecessary because they have an independent inspection certifying their work before they are able to hook into Central Hudson's grid.

The Escrow is established to allow the town to have a professional available to review the project during the construction period. Al explained our reasoning and it's reasonable to have an independent inspection to protect the Town. Attorney Battistoni referenced the Town Zoning Code Section 402, which allows the Town to establish Escrow fees. If consultant fees are higher than the Escrow amount, the Town can require the applicant to replenish the Escrow fund before moving forward on a project.

No other comments were made. On a motion made by Councilman Murphy and seconded by Councilman De Bonis the Board moved to close the Public Hearing on the Solar Building Permit Fees.

On a motion made by Councilman De Bonis and seconded by Councilman Audia the following Solar Building Permit Fees have been adopted, effective immediately.

Application fee of \$150.00, plus the following

Type	Size	Fee	Escrow
Residential	Up to 200 kw	\$150.00	\$150.00
Residential	Over 200 kw	\$250.00	\$250.00
Non-Residential	Up to 200 kw	\$2500.00	\$2500.00
Non-Residential	Over 200 kw	\$7500.00	\$7500.00

The vote was as follows:

Supervisor Ciferri: Aye  
 Councilman Turletes: Aye  
 Councilman Audia: Aye  
 Councilman De Bonis: Aye  
 Councilman Murphy: Aye

As required by New York State, General Municipal Law, Town Clerk Alex presented the Town Board with the 2019 Tentative Budget.

Fund	Appropriations	Revenue	Fund Balance	Tax Levy
General A	\$1,420,724.	\$477,469.	0	\$943,255.
Library	\$184,000.			\$184,000.
General B	\$339,903.	\$302,100.	\$10,000.	\$27,803.
Highway DB	\$1,635,514.	\$417,000.	\$100,000.	\$1,118,514.
Fire District SF	\$475,890.			\$475,890.
DA Fund	\$29,000.			\$29,000.
Planning Board Escrow	\$3,500.	\$3,500		
Highway Equipment Reserve	\$60,000.	\$60,000.		
<b>TOTAL</b>	<b>\$4,148,531.00</b>	<b>\$1,260,069.00</b>	<b>\$110,000.00</b>	<b>\$2,778,462.00</b>

The proposed tax rates are:

Village 0.823 per thousand  
 Town Outside 2.01 per thousand  
 Fire 0.49 per thousand  
 Library 0.15 per thousand

The Tax Cap Allowable Levy amount is \$2,329,235 and the actual proposed Tx Levy is \$2,778,462.00. As the levy exceeds the allowable levy, the Town is prepared to adopt a local law to override the tax levy limit established in General Municipal Law.

## RESOLUTION

Councilperson Turletes seconded by Councilperson Murphy, introduced the following proposed local law, to be known as Local Law No. 3 of 2018, entitled A LOCAL LAW OF THE TOWN OF WASHINGTON, DUTCHESS COUNTY, NEW YORK, TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c.

BE IT ENACTED by the Town Board of the Town of Washington 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 Washington pursuant to General Municipal Law §3-c, and to allow the Town of Washington to adopt a budget for the fiscal year 2019 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 General Municipal Law §3-c, which expressly authorizes the town board to override the tax cap by the adoption of a local law approved by vote of sixty percent (60%) percent of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Washington, County of Dutchess is hereby authorized to adopt a budget for the fiscal year 2019 that requires a real property tax levy in excess of the amount otherwise proscribed 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, firm or corporation or circumstance, shall be adjudged 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. This local law shall take effect immediately upon filing with this state’s Secretary of State.

Councilperson Turletes advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law. He

offered the following resolution which was seconded by Councilperson Murphy, who moved its adoption:

WHEREAS, on October 4, 2018, Councilperson Turletes has introduced this local law for the Town of Washington, to be known as TOWN OF WASHINGTON LOCAL LAW NO. 3 OF THE YEAR 2018, a local law of the Town of Washington, Dutchess County, New York, to override the tax levy limit established in General Municipal Law §3-c; be it

RESOLVED, that a public hearing be held in relation to the proposed local law as set forth in the form of notice, hereinafter provided, at which hearing parties in interest and citizens shall have an opportunity to be heard, to be held at the Town Hall, 10 Reservoir Drive, Millbrook, New York, on October 15, 2018 at 6:00 o'clock, p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Washington, by the Town Clerk, at least five (5) days before such hearing and that such notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Washington will hold a public hearing at the Town Hall, 10 Reservoir Drive, Millbrook, New York, on October 15, 2018 at 6:00 o'clock, p.m., on Local Law No. 3 of the Year 2018, to override the tax levy limit established in General Municipal Law §3-c.

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Washington, at the Town Hall, 10 Reservoir Drive, Millbrook, New York, between the hours of 9:00 a.m. to 12:30 p.m. and then between 1:30 p.m. to 3:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all person interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Millbrook, New York

October 4, 2018

The foregoing resolution was duly put to a vote which resulted as follows:

Supervisor Ciferri:	Aye
Councilman Turletes:	Aye
Councilman Audia:	Aye
Councilman De Bonis:	Aye
Councilman Murphy:	Aye

DATED: Millbrook, New York

October 4, 2018

Town Clerk Alex advised that the Community Development Block Grant applications are due in October. The Town has to submit a pre-grant application and hold a public hearing to be eligible to apply for funds. She suggested the town apply for \$100,000.00 for ADA compliant upgrades to the Town Park bathrooms and bath house. The Town Board agreed.

On a motion made by Councilman Turletes and seconded by Councilman De Bonis the Town Board scheduled a Public Hearing for Thursday, October 11, 2018, at 7:00 PM, at the Town of Washington Town Hall to hear any and all comments on CDBG grant applications.

The vote was as follows:

Supervisor Ciferri:	Aye
Councilman Turletes:	Aye
Councilman Audia:	Aye
Councilman De Bonis:	Aye
Councilman Murphy:	Aye

There being no other business, on a motion made by Councilman Audia and seconded by Councilman De Bonis, the meeting was closed at 7:20 PM.

The vote was as follows:

Supervisor Ciferri:	Aye
Councilman Turletes:	Aye
Councilman Audia:	Aye
Councilman De Bonis:	Aye
Councilman Murphy:	Aye

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Mary Alex, Town Clerk