

TOWN OF PHILADELPHIA
SEPTEMBER 14, 2016 – TOWN BOARD MEETING

Present: Supervisor: Cheryl Horton, Clerk: Cheryl Reed, Council Members: Sandra Carpenter, Deborah LaMora, Bob Watson Sr., Ron Spicer and Assessor: John Kiechle.

Absent: Highway Superintendent: Mike Freeman.

At 5:30 P.M. Supervisor Horton called the meeting or order followed by Prayer and Pledge.

Minutes: were read prior to the meeting. Ron made a motion to accept the minutes as written. Sandra seconded this motion. All were in favor, motion carried.

Financial Report: for the month of August was read aloud by Supervisor Horton. With there being no questions, Council Members signed the August Financial Report as their approval of said report.

Clerk Report:

1. Attended Town Clerk/Tax Collector meeting on August 23, 2016 at the Savory Downtown. Guest Speakers were Attorney Mark Gebo and retired Jefferson County Real Property Tax Services Director, Paul Warneck. Attorney Gebo spoke regarding referendums and Paul Warner spoke regarding the implementation of Jefferson County's New Tax Program.
2. Plan to attend demonstration of new Tax Program on October 6, 2016, in Watertown at the Board of Legislators Chambers.

Hwy. Report:

1. Plan to finish paving Elm Ridge Road on approximately 9-19-2016.
2. Scrap Metal is now \$25 per ton.
3. Port a-Potty will be removed from Park on October 1, 2016.
4. Flier's regarding changes at Recycling Center are ready to be mailed.
5. Per the Philadelphia Town Board, the Town will no longer sell large or small garbage bags upon the completed sale of stored bags.

Supplemental Shared Services Agreement: explained by Supervisor. (See attached resolution)

CEO Report: was handed out prior to the meeting.

Cemetery Report:

1. Stones that were not damaged when a tree fell at the Quaker Cemetery Vault Building were saved. These original stones are planned to be used to build a Memorial.
2. Next meeting is scheduled for Monday, October 10, 2016.

Building Report:

1. Supervisor spoke to Mike Delles regarding finishing the siding on the old garage and installing a back door to parking lot at the Town Office Building.

Assessor Report:

1. Fort Drum has the second Highest Real Estate/Rental Housing Market in the United States.
2. Attended meeting regarding the use of the I-pad for pictures used in Data Collection.

Supervisor asked the Town Board for their approval of Carol Weaver to review the Court and Town Clerk's Records. The Town Board Members approved.

Supervisor reported that Health Insurance Rates for next year have increased 4-5%.

Dog Control Report: after a deliberation the Town Board has agreed to not renew the Jefferson County Dog Control Agreement. **(Please see attached resolution)**

Clerk will notify all Board Members when the 2017 Tentative Town Budget has been completed.

Budget Workshop: scheduled for Wednesday, October 19, 2016 @ 9:00 A.M.

At 7:40 P.M. Supervisor Horton asked if there were any further comments or questions. With there being none, Sandra made a motion to adjourn. Ron seconded this motion. All were in favor, meeting adjourned.

*Respectfully submitted,
Cheryl Reed, Town Clerk*

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The following resolution was offered by Bob and seconded by Sandra who moved its adoption.

RESOLUTION: 2016-42 SUPPLEMENTAL AGREEMENT/SHARED SERVICES AGREEMENT/SUPPLEMENTING COMPTROLLER'S CONTRACT NO. C005691

WHEREAS: between the State of New York, acting through the Commissioner of Transportation of the State of New York and the Municipality of the Town of Philadelphia and

WHEREAS: the Commissioner and the Municipality have entered into a Shared Services Agreement pursuant to Section 14 of the Transportation Law and Section 99-r of the General Municipal Law identified as Contract #C005691; and

WHEREAS: the original Agreement allows for the term of the Agreement to be extended for up to three additional one year periods and the parties wish to continue said relationship and extend the completion date of said agreement; and

WHEREAS: the original agreement expired on October 31, 2015 and three one year extensions, the first extension with its end date of October 31, 2016, a second extension with its end date of October 31, 2017 and a third extension with its end date of October 31, 2018 will be processed at this time and

WHEREAS: both parties wish to extend the original agreement as specified.

NOW THEREFORE: in consideration of the mutual covenants herein set forth, the parties hereto agree as follows:

1. Section 4 of Contract #C005691 is hereby amended to read as follows:
4. The sharing of any service shall be evidenced by the signing and forwarding of a written request memorandum by the recipient of the provider detailing the Shared Service(s). Such written request may be delivered to the provider by mail, personal delivery, e-mail or any other method of transmission agreed upon by the parties. The value of the shared device(s) shall be set forth in the written request which shall be determined by the current equipment rental rate shown in the "Blue Book" for all equipment and current OGS or other contract costs for materials and services. Each party shall contribute no more than \$29,525 per year and the value of the shared service(s) to be shared pursuant to this agreement shall not exceed \$88,575 during the term of this agreement.
2. Section 13 of Contract #C005691 is hereby amended to read as follows:
13. The term of this agreement shall be extended, as a first extension, from November 1, 2015 to October 31, 2016, for a second extension, from November 1, 2017 to October 31, 2018. Either party may revoke such agreement by providing sixty (60) days written notice of such revocation. Upon revocation, any outstanding obligations of the parties must be satisfied within thirty (30) days of the date of such revocation.
3. All of the other terms and conditions of the original agreement and not amended herein shall remain in full force and effect during this renewal term.

THEREFORE BE IT RESOLVED: the Philadelphia Town Board does agree to enter into a Supplemental Agreement/Shared Services Agreement/Supplementing Comptroller's Contract No. C005691 with the State of New York, acting by and through the Commissioner of Transportation of the State of New York and the Municipality of the Town of Philadelphia.

This resolution was adopted via the following roll vote:

Supervisor Horton: aye
Council Members: aye
Sandra Carpenter: aye
Deborah LaMora: aye
Bob Watson Sr.: aye
Ron Spicer: aye

I hereby certify the above resolution was adopted by the Philadelphia Town Board on September 14, 2016.

{ SEAL }

Town Clerk: _____

Date: _____

*Town of Philadelphia
Cheryl Reed, Town Clerk/Tax Collector
33019 US Rte. 11
Philadelphia, NY 13673*

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The following resolution was offered by Council Members, Carpenter and Spicer who moved its adoption.

RESOLUTION: 2016-41 Jefferson County Dog Control Contract Refusal

WHEREAS: Jefferson County Dog Control has offered a renewal agreement to the Town of Philadelphia and

WHEREAS: The Philadelphia Town Board has, after deliberating this issue, decided against renewal of the Intergovernmental Agreement Relative to Dog Control and terminate the need of services with Jefferson County, effective December 31, 2016

THEREFORE BE IT RESOLVED: The Town of Philadelphia will not renew aforesated Agreement.

This resolution was adopted via the following roll vote:

Supervisor Horton:	aye
Council Members:	
Sandra Carpenter:	aye
Deborah LaMora:	aye
Bob Watson Sr.:	aye
Ron Spicer:	aye

I hereby certify that the above resolution was adopted by the Philadelphia Town Board on August 14, 2016.

{ SEAL }

Town Clerk: _____
Date: _____

Town of Philadelphia
Cheryl Reed, Town Clerk/Tax Collector
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The following resolution was offered by Councilperson, Carpenter and seconded by Councilperson, LaMora who moved its adoption.

RESOLUTION: 2016-43 Adoption of a Local Law #1 of 2016 to override the tax levy limit established in General Municipal Law §3-c.

Whereas: 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 Philadelphia pursuant to **General Municipal Law § 3-c** and to allow the Town of Philadelphia to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy in excess of the "tax levy limit" as defined by **General Municipal Law §3-c** and

Whereas: this local law 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 sixty percent (60%) of said governing body and

Whereas: the Town Board of the Town of Philadelphia, County of Jefferson, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2017 that requires a real property tax levy limit in excess of the amount otherwise prescribed in **General Municipal Law §3-c** and

Whereas: 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 judgment shall not effect, 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 judgment or order shall be rendered.

Therefore be it resolved: the Philadelphia Town Board does adopt **Resolution: 2016-43**, adopting Local Law #1 of 2016 in its entirety and this local law shall take effect immediately upon filing with the Secretary of State.

This resolution was adopted via the following roll vote:

Supervisor Horton:	aye
Council Members:	
Sandra Carpenter:	aye
Deborah LaMora:	aye
Bob Watson Sr.:	aye
Ron Spicer:	aye

I hereby certify that the above resolution was adopted by the Philadelphia Town Board on October 12, 2016.

{ SEAL }

Town Clerk: Cheryl Reed

Date: Oct. 12, 2016