

Public Hearing
November 8, 2018
6:00 pm

Present: Supervisor Gerald L. Deming, Council Members: Lynn Parnell, Norman Gates, Amos Smith and Frank Rose Jr.

Absent: None

Others: Jim Campbell (Town Attorney), George Worden (Highway Supt) Justin Bennett, Sandra Curran (Baldwin Business Services) Henry Fuller, Dustin Geiger and Kirk Richenberg.

Supervisor Deming opened the Public hearing at 6:00pm and asked Attorney Campbell to read aloud the Public Hearing notice that was published recently in the Livingston County News. Mr. Campbell stated that the purpose of tonight's hearing was for the consideration of the public opinion and comment for Local Law # 3 of 2018 to override the 2% Tax Cap for the 2019 Budget.

Supervisor Deming invited Mr. Bennett to provide an overview as to why the town is proposing to override the 2% tax cap. Mr. Bennett stated the changes in budgetary numbers from 2018 to 2019 are approximately \$86,000 and attribute these additional expenditures due to the ongoing work in Water and Sewer Districts associated with new infrastructure and updates to our existing systems.

Supervisor Deming then opened the Public Hearing for questions. At that time Mr. Richenberg asked for Mr. Bennett to repeat the increase in figures from 2018 to 2019. Mr. Bennett did so and reiterated that all figures were added correctly in the document just had separate totals which was a bit confusing for some when following along on the handouts provided.

Mr. Richenberg directed his questions back to the Board and asked if any of them had any questions or concerns regarding this budget.

Councilman Smith stated that he had originally inquired about the increase in Comptroller expenditures reflected in the proposed budget.

Mr. Bennett confirmed by saying "that is us" referring to the accounting line item for his services (Baldwin Business Service). Mr. Bennett went on to explain that his firm did an across the board evaluation of their services provided. Their practice is to bill a flat fee rather than hourly rate. Mr. Bennett adjusted the increase in fees based on a 3 year average and the number of transactions they prepared on behalf of the Town of York. Mr. Bennett went on to state that 3 other towns they provide services to were also assessed an increase. Mr. Bennett had mentioned that he thought about going up gradually in steps but decided that it was best to do it as a onetime increase rather than some each year.

Supervisor Deming stated that the Town of York had worked with Baldwins for the past 17-18 years and prior to that, the firm that we contracted with charged us \$14,000 per year so clearly Baldwin's fees have been on the low end but he did not expect to see this increase all at once.

The next question was posed by Mr. Richenberg and he asked what the tax rate was for 2018.

Mr. Bennett answered that the current tax rate is \$4.19/1000.

Lengthy discussion and questioning by Mr. Richenberg were then followed by Mr. Bennett's explanation of rate vs levy and taxable assessments. Mr. Richenberg stated that it was confusing to differentiate between assessment and levy rates so just to be clear Mr. Bennett noted that the 2018 taxable assessment was \$190,000,000.00 and \$207,000,000.00 in 2019. With that said, Mr. Richenberg asked if the increase in assessment was not enough to cover the tax cap. Mr. Bennett responded "It has no affect".

Councilman Smith asked what is the tax rate for 2019. Mr. Bennett answered \$4.03/1000.

Mr. Geiger asked as to what the tax cap was this year. Mr. Bennett stated .012 and continued to say that in a normal year when there are no projects or renovations going on this would not be an issue.

Mr. Richenberg asked about current fund balances with both Mr. Bennett and Supervisor Deming agreeing that it would be best to hold off and review that later in the evening at the scheduled budget hearing.

Mr. Richenberg asked the Board to elaborate more on the reason behind the increase in tax cap as Mr. Bennett and Supervisor Deming keep referring to the Water District costs that are pushing us over the top.

Mr. Bennett mentioned that charging for water usage does not bring extra funds or revenue but property taxes do. Mr. Deming then asked Mr. Bennett if nothing changes will the tax cap go back and Mr. Bennett answered yes but if there are other water projects in the works then going over the tax cap may still be the case.

Mr. Fuller inquired as to how you would factor in a debt service/usage with each new water district. Mr. Deming explained that debt service added on could still possibly put us over again next year. Mr. Fuller's 2nd question was regarding an explanation for the allocation under the Supervisor line for Dep. Supervisor services.

Attorney Campbell stated that we have not yet opened the budget hearing and can ask that later when 2019 budget in being reviewed.

Mr. Richenberg then wanted confirmation as to whether questions relating to the tax cap will continue to be answered in the Budget Hearing. Supervisor Deming said "Yes, definitely".

In addition, Mr. Richenberg did ask Mr. Bennett if he would be able to provide figures using the same tax rate but with the difference in assessments from 2017 to 2018 to produce the dollar amount of revenue generated. Mr. Bennett took several moments to do the calculations

but derived at \$32,000.00 to which Attorney Campbell stated that we would still be over the tax cap even with that amount

Councilman Rose then mentioned hearing the rumor that the Cheese Plant is only at 40% capacity so if it doubles that would also help generate additional revenue for the Town. Mr. Bennett reminded the group that it would help on the operational end of the budget but not with the debt. Mr. Richenberg and Mr. Bennett continued to discuss Special Districts being inclusive of the tax cap with Mr. Richenberg asking what the total 2019 budget was. Mr. Bennett responded \$3.2 million to include: Fire, Light, Town, Water Districts.

Mr. Richenberg then asked how long was it before you knew that you were going over?

Supervisor Deming responded that the budgeting process started in July/August with Mr. Bennett then stating that it was approximately at their September 13th meeting when it was understood that we would be going over.

Mr. Richenberg urged the Board to take a longer look into this budget and perhaps become creative in terms of re figuring the numbers in an effort to stay under the 2% tax cap.

Councilman Smith reiterated that a lot of time does go into the budgetary process with Supervisor Deming noting that when it comes down to passing the budget, all Board members have had time to make changes had they wished to do so.

Mr. Richenberg noted to the Town Board time was of the essence as the November 20th deadline was fast approaching for any changes they would want to make.

At this time, Supervisor Deming opened up the 2019 Budget Hearing Meeting slated for 6:30 pm. with a continuation of questions from the Public Hearing.

Respectfully Submitted,

Patti Barefoot
Deputy Town Clerk