

TOWN OF COVERT
REGULAR TOWN BOARD MEETING
December 28, 2009

Call to Order: Public Hearing and regular Town Board Meeting was called to order by Supervisor Michael Reynolds at 7:30PM.

Roll Call:	Supervisor Michael Reynolds	Present
	Councilman Gary Hunt	Present
	Councilman Stephen Selover	Present
	Councilwoman Valerie Bassett	Present
	Councilman Duane Waid	Present

Others Present:	Town Clerk, Colleen Freese	Present
	Highway Superintendent, Jeffery Mac Cheyne	Absent
	Deputy Town Clerk, Diane Bassette Nelson	Present
	Reporter, Aneta Glover	

Residents Present: William Shaw Justice Elect, Donald Kenyon, Daniel & Georgeanne Bakker, Justice Louis Van Cleef, Court Clerk Angela Champion, Brayton Foster, and Ann Morgan

Pledge of Allegiance: 7:00 pm

Supervisor Reynolds opened the public hearings.

Public hearing #1: the resubmitting of a variance request under the Land Management Ordinance for Howard Porter 8600 Powell Road to install a carport a 21' x18' that does not meet the required 20 foot setback from the neighbor's property line, application # 09-26.

The Planning Board recommends that the variance request for Howard Porter be approved with stipulations.

No comments from the floor or board.

Supervisor Reynolds closed the public hearing at 7:03p.m.

Supervisor Reynolds opened Public hearing #2 at 7:04 p.m.

Public hearing #2 To repeal Local Law No. 1-96 and introduce Local Law No 2-09, for Alternative Veterans' Tax Exemption

Ann Morgan, Assessor gave a brief explanation of changes, revised amount based on disability rating and/or status of service. County passed the amended exemption in January; Covert is the last government to approve; 2009 Covert tax roll has 109 veteran's exemptions; some of these may be both combat and disability. The total of these exemptions is approximately \$1,600,000. Recommendation is that the old law be repealed and new one approved even though it is basically an amendment.

The increase and exemption is multiplied by the current equalization rate of 87.5%. In reply to a question, Ann noted that the last re-evaluation of property was in 2007; a new revaluation was scheduled for 2010, but has been rescheduled for 2011.

Don Kenyon noted that it is the least we can do.

Supervisor Reynolds closed the public hearing at 7:08 PM.

Justice Louis VanCleaf administered the oath of office to the following newly elected or reelected town officers:

Colleen Freese Town Clerk
William Shaw Town Justice
Gary Hunt Town Councilman
Michael Reynolds Town Supervisor
Duane Waid Town Councilman

Supervisor Reynolds opened the regular meeting at 7:13 PM with the same people in attendance.

Approval of Minutes

Motion by Councilman Gary Hunt, Seconded by Councilman Valerie Bassett, that the meeting minutes of the December 14, 2009 minutes be accepted. Carried Unanimously

Petitioners to the Board:

Brayton Foster: questioned amount of raises for highway dept. (2.2% in 2010), and questioned amount of the raise for the county manager, Mike replied that she started at bottom of pay scale, county board felt the raise was justified.

Also a raise for Democrat sheriff by Republican board All in county getting 3% these two are getting additional above that.? It was noted that there will be a public hearing at the next county board meeting.

Don: county manager proposed budget and she gets the highest raise. This sets a bad example. Also \$4M that was transferred; 2007 \$87K was taken from account, now in 2010 \$4M is taken from account for tax stabilization. Where did this account come from?

Supervisor Reynolds noted that sales tax receipts are up considerably which is funding this account.

Highway Superintendent Jeffery MacCheyne: not present

Attorney for Town: John Sipos not present

Town Clerk: Tax bills were mailed out.

Committees: Councilwoman: Valerie Bassett no report

Councilman: Gary Hunt in response to his question there are 43 war, 39 combat veterans in town, and a total of 28 in village

Councilman: Steve Selover no report

Councilman: Duane Waid no report

Supervisor: Michael Reynolds

Old Business:

Motion by Councilman Valerie Bassett that the variance request for Howard Porter, 8600 Powell Road be approved with the contingency added by planning board, seconded by Councilman Duane Waid, carried unanimously. The comment was made to make sure John checks on the placement.

NEW BUSINESS:

Resolution for the Alternative Veterans' Tax Exemption Local Law No 2-09
Motion by Gary Hunt, second by Valerie Bassett to repeal local law #1-96 and approve local law No 2-09 Alternative Veterans' Tax Exemption as attached; carried unanimously.

Historical Society request to use Municipal Building on January 25, 2010
Resolution does not need to come before board, file paper work and place on calendar.

Village Board request to use the Municipal Building on January 7, 2010.
Does not need resolution, has been added to calendar. The question was raised as to why these meetings are scheduled for mid-day? It was suggested that the meetings take place later in the day.

No year-end fund balances were presented. There were no bills presented for payment.

Question asked have the CHIPs funds been received. \$82K received.

Discussion on how funds are reported. The board requested that the bookkeeper attend the January meeting to explain fund balances.

It was noted that the Town Clerk prepares the abstract for the meeting, bookkeeper's report is after the meeting.

Daniel Bakker: Planning Board is requesting training for: SEQRA, windmills, cell towers, shared municipal services.

On the motion of Gary Hunt, the meeting was adjourned at 8:00 P.M. carried.

Supervisor, Michael Reynolds

Deputy Town Clerk, Diane Bassette Nelson

Town of Covert, Local Law #2 of the year 2009
A local law providing for the alternative veterans' exemption from the real property taxation.

Be it enacted by the Town Board of the Town of Covert as follows:

Section 1.

The purpose of this law is to set the maximum veterans exemption allowable pursuant to Section 458-a of the Real Property Law of the State of New York.

Section 2.

Pursuant to the provisions of Subdivision 2(d) of Section 458-a of the Real Property Tax Law of the State of New York, the maximum veterans exemption from real property taxes allowable pursuant to Section 458-a of the Property Tax Law is established as follows:

- (a) Qualifying residential real property shall be exempt from taxation to the extent of fifteen percent of the assessed value of such property; provided, however, that such exemption shall not exceed the lesser of twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated.
- (b) In addition to the exemption provided by paragraph (a) of this section, where the veteran served in a combat theatre or combat zone of operations, as documented by the award of a United States campaign ribbon or service medal, qualifying residential real property shall be exempt from taxation to the extent of ten percent of the assessed value of such property provided, however, that such exemption shall not exceed the lesser of eight thousand dollars or the product of eight thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated.
- (c) In addition to the exemptions provided by paragraphs (a) and (b) of this section, where the veteran received a compensation rating from the United States Veterans' Administration because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property multiplied by fifty percent of the veteran's disability rating, provided, however, that such exemption shall not exceed the lesser of forty thousand dollars or the product of forty thousand dollars multiplied by the latest state equalization rate for the town in which the property is situated.

Section 3

Be it enacted that Local Law No 2 of 1995, a local law providing for lesser alternative veterans' exemptions from the real property taxation, is hereby repealed.

Section 4.

This Local Law shall take effect immediately upon filing with the Secretary of State.

	Wartime	Combat	Disability
Current Level	\$9,000	\$6,000	\$30,000*
Proposed Level	\$12,000	\$8,000	\$40,000*

*Depending on level of disability rating.