

**TOWN OF COLUMBIA  
REGULAR TOWN BOARD MEETING  
NOVEMBER 10, 2011**

The Town of Columbia Town Board held a regular monthly meeting November 10, 2011, at the town building.

MEMBERS PRESENT: Supervisor Weiss, Councilmen Buddle, Burke, Keeler, and Teletnick.

MEMBERS ABSENT: None

OTHERS PRESENT: Pat Woytowich, Clerk; Highway Supt., Aaron Smithson; John Murtha, Planning Board Chr.; Deborah Kidder, ZBZ Secretary; 5 residents of the town

Supervisor Weiss called the meeting to order at 7:30 P.M.  
Pledge of Allegiance

**PUBLIC HEARING - LOCAL LAW #2011-01:** A local law to override the tax levy limit established in General Municipal Law §3-c. Supervisor Weiss opened the hearing and explained the law. Legal notice was published October 31, 2011 in the Herkimer Telegram. With no comments or questions the hearing was closed at 7:35 p.m.

A **motion** was made by Councilman Keeler, seconded by Councilman Teletnick, to accept the minutes of October 13, 2011.

**VOTE:** All members voted aye.

A **motion** was made by Councilman Teletnick, seconded by Councilman Buddle, to accept the Supervisor and Town Clerk monthly reports.

**VOTE:** All members voted aye.

**PUBLIC HEARING - 2012 BUDGET:** Supervisor Weiss opened the public hearing on the 2012 Budget at 7:40 p.m. Brief discussion. Legal notice was in Herkimer Telegram on October 31, 2011. With no further comments or questions the hearing was closed at 7:44 p.m.

**BILLS:** The Board audited the monthly bills. A **motion** was made by Councilman Keeler, seconded by Councilman Buddle, to accept the following bills:

General Fund, #153 - #169 for \$ 28,626.46

Trust & Agency, #11 for \$ 810.87

Highway, Item 1, #30 - #32 for \$ 1,804.72

Highway, Item 3, #69 - #74 for \$ 7,517.21

Highway, Item 4, #52 - #58 for \$ 32,239.20

**VOTE:** All members voted aye.

**FUEL BIDS:** 8:00 P.M. The Clerk stated that the following one bid was received from Ferguson Fuels:

-ultralow sulfur diesel fuel (winter blend when needed) for the Town Highway equipment at a price of .205 over rack price on automatic delivery.

-fuel oil for heating the building at a price of 0205 over rack price on automatic delivery.

Regular gasoline (octane 87) at a price of 0205 over rack price on a call basis.

-service will be provided at a rate of \$60.00 per hour plus parts

-yearly cleaning will also be done in September 2012.

Legal notice was published in the Herkimer Telegram on October 26, 2011.

**DEPARTMENT REPORTS:**

-**HIGHWAY:** Aaron reported-

- 1<sup>st</sup> trip plowing - 3 truck run - all went well
- Doing cold patching, ditch work and brush cutting
- CHIPS reimbursement mailed in. Yearly mileage report completed for Herkimer County and NY State.

-**PLANNING BOARD:** John Murtha stated the planning board has met with Mr. Abdallah and approved his request to have his business office located in the area on Rt. 28 (where he was granted a commercial appeal to have cold storage).

**BOARD DISCUSSION:**

Supervisor Weiss spoke with District #2 County Legislature, Bernie Peplinski - brief discussion regarding tail claims.

**CODES:** Mitch spoke with the board regarding a new home on N. Columbia Rd. Contractor/homeowner called for a couple of inspections in the beginning of construction - then no calls until they wanted the certificate of occupancy. Looks well built but cannot do proper inspections after walls are closed in. Discussion followed. Homeowners and contractor were present. It was agreed to issue CO.

**NEW BUSINESS:**

- **LOCAL LAW #2011-01:**

Upon **motion** of Councilman Buddle, seconded by Councilman Burke, the following **resolution #2011-09** was introduced:

**BE IT RESOLVED BY THE** Town Board of the Town of Columbia, New York, that the following Local Law No. 1, 2011, attached hereto and made a part hereof, be and the same hereby is enacted and adopted:

(See attached **LOCAL LAW NO. 1, 2011**)

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

Supervisor Weiss: aye; Councilman Buddle: aye; Councilman Burke: aye;

Councilman Keeler: aye; Councilman Teletnick: aye

- **2012 BUDGET:**

Upon **motion** of Councilman Keeler, seconded by Councilman Teletnick, the following resolution was introduced:

**RESOLVED:** The Town Board of the Town of Columbia, New York, hereby adopts the preliminary budget as the final 2012 Budget.

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

Supervisor Weiss: aye; Councilman Buddle: aye; Councilman Burke: aye;  
Councilman Keeler: aye; Councilman Teletnick: aye

The board briefly discussed participating in NYS Deferred Compensation Plan. Will be discussed further next meeting.

- **FUEL BID:** A **motion** was made by Councilman Keeler, seconded by councilman Buddle, to accept the fuel bid submitted by Ferguson Fuels for the 2012 year.

**VOTE:** All members voted aye.

Next meeting December 22<sup>nd</sup> at 7:30 p.m.

**INPUT:** The Board received input from those attending.

A **motion** was made by Councilman Keeler, seconded by Councilman Teletnick, to adjourn. The meeting was adjourned at 9:20 P.M.

Respectfully submitted,

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Supervisor

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Town Clerk

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Councilman

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Councilman

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Councilman

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Councilman

**LOCAL LAW NO. 1 OF THE YEAR 2011**

**Town of Columbia, County of Herkimer**

**A local law to override the tax levy limit established in General Municipal Law §3-c**

**Section 1. Legislative Intent**

It is the intent of this local law to allow the Town of Columbia to adopt a budget for the fiscal year commencing January 1, 2012 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 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 the Town of Columbia, County of Herkimer, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2012 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 judgment 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 judgment or order shall be rendered.

**Section 5. Effective Date**

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

