

6:00 PM –Public Hearing on Helderberg Lake Tax District

Supervisor Lyons opened the Public Hearing and led the Pledge of Allegiance and opened the floor to the public comment on the Helderberg Lake Tax District, with the following members present: Supervisor Lyons & Councilmembers Palow & Vane. Town Clerk Clayton & Attorney Afzali also in attendance. Supervisor Lyons opened the floor to public comment.

Town Clerk Clayton stated she received 8 letters and they are on file in her office.

David Brennan introduced himself as the attorney for the Helderberg Lake Association (HLCA).

Prime AE Group presented a power point and explanation on the repairs necessary to the dam.

Tom McQuade – President of the HLCA, stated that he has been dealing with the dam for 15 years and is requesting a tax district be established so they can move forward with repairs.

Robert Marriott – family has owned camp on lake for 60 years and benefit from the lake; appears a lot of work needs to be done on dam; DEC says it needs to be fixed and he feels people should contribute their fair share.

David Brusco – no one is opposed to fixing the dam but questioned if this was the best way; does not want to see the lake go away but is not in favor of this solution to fix it; proposal is flawed and should not be approved at this time. He researched the transfers of property over the years and how lake rights were determined. He stated that it is evident that multiple properties should have lake rights and do not; HLCA should be directed to do a title search to make sure that all properties that should be in the tax district are included. He stated that the HLCA has threatened non-members with arrest.

Liz Smith – stated that she has deeded lake rights but no lake frontage and has the highest assessed property. Does not approve of this measure to fix dam. She submitted a letter stating they are the highest assessed property and would be paying the most increases taxes with no benefit to the lake. Received letter from HLCA that if you do not pay dues, you do not have access to the use of the lake. She stated that the lake association should bare the cost of the dam repairs. She is questioning the cost of the dam repairs and cited some errors in the petition. She is urging the town to not approve this petition. Letter is on file in the Town Clerk's office.

Jean Horn – Thanked the board and read her letter which contained the following issues: Owned property on lake sine 1950 and is our primary residence. Agree that the dam needs maintenance and repair and are not opposed to idea of a tax district but disagree with the way it is currently proposed. HLCA has known about repairs but took no significant steps to address. She Volunteered to pursue a FEMA grant but found out they didn't qualify. Alternative ways to raise funds were suggested but never put to a membership vote. Opposed to way the taxes would be as

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it would create a financial burden to residents without having the benefit of lake front property. Many dues in 2021 were not paid because of growing concern that the HLCA was mismanaged. Requesting that the board does not move forward with proposal. Letter on file in the Town Clerk's office.

Kathie Bruso – felt the dam is essential but puts an unfair tax burden on the residents. This solution does not consider the disproportionate tax district. They have been threatened with legal action from the HLCA. Lake rights do not add to property value. Letter on file with the Town Clerk's office.

Janice Parrott – was approached by a landowner to sign petition; have not used lake in ten years and should not be expected to pay for property that isn't used. This tax increase will make it impossible for them to pay.

Judy Klapp – she is a new resident on the lake and is a member of the lake association and is in favor of the tax district and the burden shouldn't be distributed just to people on the lake.

Sandra Anderson – in support of tax district and is the 4th generation of family to use lake. DEC stated the dam is not in compliance and they will be liable for damages. Best solution is to move forward and repair the dam.

Paula Leonard – stated that approval has not been received from DEC and questioned applying for a tax district without approval. Asked if money collected will be earmarked for dam repair only and said options for raising money has been squashed; people on the lake are everyday people and who votes to increase their own taxes?

Lauren Leonard – stated the condition of the dam has been know for ten years; there have been no other ideas to raise money and residents will be paying for inept decision making by HLCA. Asked if residents can be promised a fixed rate or will it be reassessed during bond; will there be a limit on reassessments and where will money come from if unforeseen damages occur; is there a contingency plan? Will HLCA be allowed to use bond fund for other bills?

Victor Procopio – has known for 10 years that dam needed repair, couldn't find Notice of Order; nothing stated for immediate repair; felt things were handled incorrectly; doesn't want 30 years of debt, is a member of HLCA, thought there was a mechanism in place for paying the repairs. Stated treasurer has not filed returns for 10 years. Moving forward would like to look at all requirements and transparency for HLCA; sense of community doesn't exist.

Josh Weinstock – bought property 6 months ago and checked for lake rights; he knew there were dam issues and would like to see proposal for tax district accepted.

Robert Merian – people on the lake have more benefits and lake front should be assessed differently.

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Supervisor Lyons stated that he will leave the Public Hearing open to accept more comments and reconvene on 12/22/21 at 6:00PM.

REGULAR MEETING

Supervisor Lyons led the Pledge of Allegiance and called the regular meeting to order at 7:24PM with the following members present: Councilmembers Palow and Vane. Town Clerk Clayton and Attorney Afzali was also present.

SETTING ORGANIZATIONAL MEETING

Supervisor Lyons made a motion seconded by Councilmember Palow to schedule the Organizational Meeting on 1/1/22 at 1:00PM. Motion carried with the following roll call vote, Supervisor Lyons and Councilmembers Palow & Vane voting aye.

AUTHORIZING PAYMENT OF BLUE DIAMOND SEPTIC BILL

Supervisor Lyons made a motion seconded by Councilmember Vane to authorize payment to Blue Diamond Septic in the amount of \$1,536.80. Motion carried with the following roll call vote, Supervisor Lyons and Councilmembers Palow & Vane voting aye.

APPOINTING DOG CONTROL OFFICER

Councilmember Vane made a motion seconded by Councilmember Palow to appoint Donna Ferraino as DCO. Motion carried with the following roll call vote, Supervisor Lyons and Councilmembers Palow & Vane voting aye.

APPOINTING PLANNING BOARD MEMBER

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow to appoint Cathy Shultes as Planning Board member to finish out term till 12/31/21. Motion carried with the following roll call vote, Supervisor Lyons and Councilmembers Palow & Vane voting aye.

AUTHORIZING BUDGET TRANSFERS FOR NOVEMBER

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow that the budget transfers for November be authorized. Motion carried with the following roll call vote: Supervisor Lyons and Councilmembers Palow & Vane voting aye.

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APPROVING ABSTRACTS

After discussion, Supervisor Lyons made a motion seconded by Councilmember Palow to approve the following abstracts:

GENERAL FUND, HIGHWAY FUND, SEWER, UTILITIES, WITHOLDINGS FOR 2021.....	\$ 99,844.40
Abstract #86 of 2021.....	\$ 6,799.74
Abstract #87 of 2021.....	\$ 598.41
Abstract #88 of 2021.....	\$ 11,578.96
Abstract #89 of 2021.....	\$ 28,883.21
Abstract #90 of 2021.....	\$ 49,725.07
Abstract #91 of 2021.....	\$ 799.01
Abstract #92 of 2021.....	\$ 1,460.00

Motion carried with the following roll call vote: Supervisor Lyons and Councilmembers Palow & Vane voting aye. Councilmember Willsey abstained.

MOTION TO ADJOURN

There being no further business or discussion, Supervisor Lyons made the motion seconded by Councilmember Palow to adjourn the meeting. Motion carried with the following roll call vote: Supervisor Lyons, and Councilmembers Palow & Vane voting aye. Meeting adjourned at 8:04PM.

Respectfully submitted,

Anita C. Clayton, Town Clerk