

Village of Livonia
Board of Trustees Meeting
March 23rd, 2016

Present: Mayor Cal Lathan, Tom Preston, Ralph Parker, Bill Kurtz.

Absent: Bob Leader, Chris Genthner

Mayor Lathan called the meeting to order at 7:00 pm.

M/2/C (B. Kurtz, C. Lathan) to approve the minutes from the March 9th, 2016 meeting. Passed 3 – 0. Reference was made to the entry regarding the Village of Livonia making a payment to the Town of Livonia for their half of the bill from DesignFM. The Village was informed that The Town of Livonia made this payment from Fund A. This Fund holds joint Town and Village Funds.

M/2/C (R. Parker, B. Kurtz) to approve the payment of claims # 280 to # 286 in the amount of \$ 4,039.33. Passed 3 – 0.

Public Hearing

This Local Law is enacted to the authority conferred by New York Real Property Tax Law Section 485-n and shall be called The Village of Livonia Real Property Tax Exemptions for Improvements to Commercial or Residential Real Property Law. Please find this attached.

M/2/C (B. Kurtz, R. Parker) to open the Public Hearing. Passed 3 – 0.

M/2/C (R. Parker, B. Kurtz) to close the Public Hearing. Passed 3 – 0.

LL1-2016 has been approved and will be filed by Friday, March 25th, 2016.

Resolution: April 27th, 2016 Public Hearing for the 2016 – 2017 Budget

M/2/C (R. Parker, B. Kurtz) to hold a Public Hearing on April 27th, 2016 for the adoption of the 2016 – 2017 Village of Livonia Budget. Passed 3 – 0.

Budget presented to the Village Board by Tom Preston

Tom Preston spoke to the Board about the Proposed Budget. Please find this attached. At this point it appears that the budget is level. Topics that were discussed were Engineering and Autumn in the Village.

Reports

Ralph Parker informed the Village Board that the necessary \$ 500 deposits have been sent in for the Main Street Grants.

M/2/C (R. Parker, B. Kurtz) to adjourn the Village Board Meeting at 7:25 pm.

Passed 3 – 0.

Respectfully Submitted,

Jo Ann Weber

Notice of Public Hearing

A Public hearing will be held by the Village of Livonia for the adoption of the 2016-2017 Budget. Copies of the Budget will be available Wednesday, March 23rd, 2016 at the Village Office. The public hearing will be held at the Village Office, 36 Commercial Street, on Wednesday, April 27th, 2016 at 7PM.

**Thomas Preston
Clerk-Treasurer**

Invoice Audit Journal
Village of Livonia

tran	line	vndr	po	invoice	claim	date	due	description	debit	credit	amount
unallocated											
002723	00584			0000006820	280	03/22/2016	03/22/2016	EXCELLUS BLUECROSS BLUESHIELD N Excellus:DentalIns-April2016 invoice total:	9060.810-A	0600.000-A	193.11 193.11
002724	00176			0000006821	281	03/22/2016	03/22/2016	EXCELLUS HEALTH PLAN-GROUP N Excellus:MedIns-April2016 invoice total:	5060.800-A	0600.000-A	3,059.11 3,059.11
002725	00568			741095	282	03/03/2016	03/03/2016	JOHNSON NEWSPAPER CORP N JohnsonNews:Legals-PublicHeari invoice total:	1670.400-A	0600.000-A	17.80 17.80
002728	00313			0000006823	284	03/14/2016	03/14/2016	RG&E N RG&E:OfficeHeat N RG&E:Garage N RG&E:BowenPark invoice total:	1620.400-A 5132.400-A 7110.400-A	0600.000-A 0600.000-A 0600.000-A	166.84 122.61 70.50 359.95
002729	00557			2364	285	02/25/2016	02/25/2016	ROCKHOPPER TECHNOLOGIES N Rockhopper:Monitor/SoftwareSet invoice total:	1680.400-A	0600.000-A	99.90 99.90
002730	00426			0000006824	286	03/22/2016	03/22/2016	US POSTAL SERVICE N USPostal:2016SpringNewsletter invoice total:	1670.410-A	0600.000-A	135.00 135.00
002731	00303			0000006826	283	03/11/2016	03/11/2016	PENNY LANE PRINTING N PennyLane:FestivalLetterhead N PennyLane:SponsorCards/Envelop invoice total:	7550.410-A 7550.410-A	0600.000-A 0600.000-A	121.46 53.00 174.46
total:											4,039.33
final total:											4,039.33

A.T.V.

7 March 23, 2016

Section 1. Title and Legislative Authority.

This Local Law is enacted to the authority conferred by New York Real Property Tax Law Section 485-n and shall be called the Village of Livonia Real Property Tax Exemptions for Improvements to Commercial or Residential Real Property Law.

Section 2. Legislative Purpose.

It has been determined by the Village of Livonia Board of Trustees that it is in the best interest of the public health, safety and welfare to encourage the investment in improvements in commercial or residential real properties. It will serve the public interest to allow for certain qualified real property tax exemptions in order to encourage investment in such improvements.

Section 3. Definitions.

As used in this Local Law, the following terms shall have the following meanings:

- (a) "Applicant" means any person obligated to pay real property taxes on real property for which an exemption from taxes under this section is sought.
- (b) "Benefit area" means the area within the Village of Livonia, to which an exemption applies pursuant to this Local Law.
- (c) "Commercial construction work" means the modernization , rehabilitation, expansion or other improvement of commercial use property or the portion of mixed-use property to be used for commercial purposes.
- (d) "Commercial/Mixed Use Incentive Board" means the Board appointed by the Village Board of Trustees and acting as prescribed by Section 4 of this Local Law.
- (e) "Commercial purpose or use" means the buying, selling or otherwise providing of goods or services, including hotel services, or other lawful business or commercial activities permitted upon mixed-use property.
- (f) "Commercial use property" means real property on which will exist, after completion of commercial construction work, a building used for commercial purposes or use.
- (g) "Mixed-use property" means real property on which will exist, after completion of residential construction work or a combination of residential construction work and commercial construction work, a building or structure used for both residential and commercial purposes.

- (b) "Residential construction work" means the creation, modernization, rehabilitation, expansion or other improvement of dwelling units, other than dwelling units in a hotel, in the portion of mixed-use property to be used for residential purposes.

Section 4. Commercial/Mixed Use Incentive Board.

There is hereby established the Commercial/Mixed Use Incentive Board ("CMUIB") which shall be constituted and have the duties as hereinafter provided.

- (a) The CMUIB shall consist of three (3) members appointed by the Village of Livonia Board of Trustees for the terms as set by the Village of Livonia Board of Trustees. Said members may be chosen from any Village board members.
- (b) The CMUIB shall present a plan to the Village of Livonia Board of Trustees concerning the various types of commercial and/or mixed-use properties which may be granted an exemption pursuant to this local law. Said plan shall:
- (i) identify designated benefit areas:
 - (ii) consider the planning objectives of the Village of Livonia
 - (iii) determine the necessity of the exemption for the attraction of commercial and mixed use development as identified by the Village of Livonia.
 - (iv) determine the economic benefit of providing exemptions to Commercial and mixed-use properties to the benefit area.

Section 5. Previously Designated Commercial District.

In instances where the Village of Livonia has previously designated a commercial district encompassing a defined area which was subject to public input and was approved by and received funding for economic development purposes from a state agency, the Village of Livonia may utilize the defined boundaries of such previously defined area, or a combination of such boundaries with properties subject to review by the commercial/mixed-use incentive board to determine the benefit area.

Section 6. Real Property Tax Exemptions.

(a) (i). For a period of twelve years following the approval of an application as hereinafter provided, the increase in assessed value of such property attributable to a conversion, creation, modernization, rehabilitation, expansion or other improvement shall be exempt as provided in subparagraph (a)(ii) if this section. Such exemption shall be computed with respect to the "exemption base." The exemption base shall be determined for each year in which there is an increase in assessed value so attributable from that of the previous year's assessed value.

(ii) The tax exemption shall be computed as follows:

Year of exemption	Percentage of exemption
1 through 8	100% of exemption base
9	80% of exemption base
10	60% of exemption base
11	40% of exemption base
12	20% of exemption base

(b) No such exemption shall be granted unless:

(i) Such conversion, creation, modernization, rehabilitation, expansion or other improvement was commenced subsequent to the date of the effective date of this local law, and

(ii) The cost of such conversion, creation, modernization, rehabilitation, expansion or other improvement exceeds the sum of ten thousand dollars or such greater amount as may be specified by local law.

(c) For purposes of this section the term "conversion, creation, modernization, rehabilitation, expansion or other improvement" shall not include ordinary maintenance and repairs.

(d) No such exemption shall be granted concurrent with or subsequent to any other real property tax exemption granted to the same improvement to the real property, except, where during the period of a previous exemption, payments in lieu of taxes or other payments were made to the Village of Livonia in an amount that would have been equal to or greater than the amount of real property taxes that would have been paid on such improvements had such property been granted an exemption pursuant to this section. In such case, an exemption shall be granted for a number of years equal to the twelve year exemption granted pursuant to this section

less the number of years the property would have been previously exempt from real property taxes.

Section 7. Application for Exemption.

- (a) The exemption provided for herein shall be granted only upon application by the owner of real property on a form prescribed by the Commissioner of the New York State Department of Taxation and Finance. Such application shall be filed with the Town Assessor on or before the appropriate taxable status date of the Town.
- (b) If the assessor is satisfied that the applicant is entitled to an exemption pursuant to this local law, he or she shall approve the application and such real property shall thereafter be exempt from taxation and special as valorem levies as provided herein commencing with the assessment roll prepared after the taxable status date occurring after the granting of the application.
- (c) The assessed value of any exemption granted hereunder shall be entered by the assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

Section 8. Effective Date.

This local law shall be effective immediately upon filing thereof with the Secretary of State.