

TOWN OF BARTON

DONALD FOSTER, SUPERVISOR

AGENDA – MAY 13, 2024 @ 6:30 PM

Via In-Person

1. PLEDGE OF ALLEGIANCE

2. PRIVILEGE OF THE FLOOR

3. APPROVE MINUTES OF PREVIOUS MEETING

4. APPROVE VOUCHERS FOR GENERAL, HIGHWAY, SEWER AND WATER FUNDS

5. PERSONNEL

- a. Town Clerk
- b. Highway Superintendent

6. NEW BUSINESS

- a. Dog Drop-offs in the Town of Barton
- b. Retirement - Keith Shipman
- c. Resolution 17-2024_ \$_____ Reward for Information Leading to the Arrest and Conviction of Any Person or Persons Dumping Household Items and/or Garbage in the Town of Barton Right-of-Way
- d. Resolution 18-2024_ \$_____ Reward for Information Leading to the Arrest and Conviction of Any Person or Persons Intentionally Cutting Down Trees to Block Town of Barton Roads.
- e. Resolution 19-2024_ \$150.00 Redemption Fee for dog Holding Services
- f. Resolution 20-2024_ Approve 2023 Annual Accounting For Town Clerk
- g. Resolution 21-2024_ Renew Service Agreement with GST BOCES
- h. Resolution 22-2024_ Authorize the Purchase of 2025 Freightliner 114SD Tandem Axle Cab and Chassis Truck
- i. Resolution 23-2024_ Sewer Bill Adjustment Due to Leak – McProperties & Rentals, LLC
- j. Resolution 24-2024_ Set Ethan Klossner's Starting Salary

7. OLD BUSINESS

8. ADJOURNMENT

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 17-2024

\$_____ REWARD FOR INFORMATION LEADING
TO THE ARREST AND CONVICTION OF ANY
PERSON OR PERSONS DUMPING HOUSEHOLD
ITEMS AND/OR GARBAGE IN TOWN OF BARTON
RIGHT-OF-WAY

WHEREAS, certain individuals are dumping household items and garbage in the Town of Barton highway right-of-way; and

WHEREAS, this is in direct violation of the Town of Barton's local law relating to the dumping of solid waste (see Chapter 73 of the Code of the Town of Barton); and

WHEREAS, the Town Board of the Town of Barton agrees that immediate action is necessary to halt such activity because such activities are deemed to pose an imminent hazard to the public health, safety, and welfare of the residents of the Town of Barton; and

WHEREAS the Barton Town Board believes it is necessary to create an incentive for persons with knowledge of the dumping of household items and/or garbage in the Town of Barton right-of-way to come forward; and

NOW THEREFORE upon a motion by Councilperson _____, seconded by Councilperson _____, and carried; therefore, be it

RESOLVED, that on this day, May 13, 2024, the Town Board of the Town of Barton authorizes the payment of a \$_____ reward to any individual with information that leads to the arrest and conviction of any person or persons that are dumping household items and/or garbage in the Town of Barton right-of-way in violation of the Town of Barton Dumping of Solid Waste Law; and be it

FURTHER RESOLVED, that funding for the implementation of this policy shall be paid from the following account:

SAFETY INSPECTION CONTRACTUAL (B3620.4)

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 18-2024

\$_____ Reward for Information Leading to
The Arrest and Conviction of Any Person or
Persons Cutting Down Trees to Block Town of
Barton Roads

WHEREAS, certain individuals are intentionally cutting down trees to block Town of Barton roads; and

WHEREAS, the Town of Barton has the authority to petition the Tioga County District Attorney's office to pursue criminal charges (criminal mischief, trespass) against these individuals as well as file suit to recover damages; and

WHEREAS, New York State Real Property Actions and Proceedings Law (R.P.A.P.L) also allows for triple damages to be assessed for the destruction of such trees; and

WHEREAS, the Town Board of the Town of Barton agrees that immediate action is necessary to halt such activity because such activities are deemed to pose an imminent hazard to the public health, safety and welfare of the residents of the Town of Barton; and

WHEREAS, the Barton Town Board believes it is necessary to create an incentive for persons with knowledge of who is intentionally cutting down trees to block Town of Barton roads to come forward; and

NOW THEREFORE upon a motion by Councilperson _____, seconded by Councilperson _____, and carried; therefore, be it

RESOLVED, that on this day, May 13, 2024, the Town Board of the Town of Barton, County of Tioga, State of New York authorizes the payment of a \$_____ reward to any individual with information that leads to the arrest and conviction of any person or persons that are cutting down trees to block Town of Barton roads; and be it

FURTHER RESOLVED, that funding for the implementation of this policy shall be paid from the following account:

Safety Inspection Contractual (B3620.4)

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 19-2024

\$150.00 REDEMPTION FEE FOR DOG HOLDING SERVICES

WHEREAS, Stray Haven Humane Society charges the Town of Barton \$150.00 for each dog seized and delivered by the Town Dog Control Officer, Peace or Police Officer in the employ of or acting in the agency of the Town; and

WHEREAS, the Town of Barton feels this charge should be conveyed to the owner; and

WHEREAS, in the event an owner reclaims the dog during the holding period, Stray Haven Humane Society agrees to return any such dog seized and delivered by the Town DCO, Peace or Police Officer in the employ or acting on behalf of the agency of the Town, to its rightful owner only upon written proof of the existence of a current dog license and a receipt from the Town showing that all fees have been paid; and

WHEREAS, it is now the responsibility of the Town to collect all applicable fines and fees from the owner; and

NOW THEREFORE upon a motion by Councilperson _____, seconded by Councilperson _____, and carried; therefore, be it

RESOLVED, the Town of Barton will now charge the \$150.00 fee to rightful owner of the seized dog and provide the owner with a paid receipt and a copy of the unexpired dog license prior to the owner reclaiming their dog at Stray Haven Humane Society; and be it

FUTHER RESOLVED, a copy of this resolution will be forwarded to Stray Haven Humane Society; and be it

FURTHER RESOLVED, that this will be in effect immediately.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 20-2024

APPROVE 2023 ANNUAL ACCOUNTING FOR
TOWN CLERK

WHEREAS, Town Law Section 123 requires an annual accounting and the submission of books and records by all town officers and employees to the town board; and

WHEREAS Supervisor Donald Foster performed a review of the Town Clerk's records on April 9, 2024 using Appendix D – General Recordkeeping Requirements for Town Clerks; and

WHEREAS, a copy of said findings to the checklist was given to each Town of Barton board member for review and approval; and

NOW THEREFORE upon a motion by Councilperson _____, seconded by Councilperson _____, and carried; therefore, be it

RESOLVED, that the Town of Barton Town Board did hereby review and approve the aforementioned annual accounting requirements performed by Supervisor Donald Foster.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 21-2024

RENEW SERVICE AGREEMENT WITH GST BOCES

WHEREAS, The Town Board of the Town of Barton wishes to renew the GST BOCES service agreement; and

NOW THEREFORE upon a motion by Councilperson _____, seconded by Councilperson _____, and carried; therefore, be it

RESOLVED, that the Town Board of the Town of Barton wishes to renew the GST BOCES service agreement; and be it

FURTHER RESOLVED, that the Barton Town Board grants the Town Supervisor the authority to sign any documentation necessary relating to the agreement.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 22-2024

AUTHORIZE THE PURCHASE OF 2025
FREIGHTLINER 114SD TANDEM AXLE CAB AND
CHASSIS TRUCK

WHEREAS, The Town Board of the Town of Barton believes it is necessary to purchase a heavy duty tandem axle cab and chassis truck to replace one of the Town of Barton's aging dump trucks; and

WHEREAS, Tracey Road Equipment has a proposal that meets the Town of Barton's needs; and

WHEREAS, this purchase is through Onondaga County Contract #0010914 and meets state bid requirements; and

NOW THEREFORE upon a motion by Councilperson _____, seconded by Councilperson _____ and carried; therefore, be it

RESOLVED, that on this day, May 13, 2024, the Barton Town Board authorizes the purchase of a 2025 Freightliner 114SD tandem axle cab and chassis truck from Tracey Road Equipment in the amount of \$301,429.00; and be it

FURTHER RESOLVED, that this expenditure is subject to a permissible referendum; and be it

FURTHER RESOLVED, that this purchase is to be paid out of the following account:

DA CAPITAL MACHINERY RESERVE - \$301,429.00

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 23-2024

SEWER BILL ADJUSTMENT DUE TO LEAK-
MC PROPERTIES & RENTALS, LLC

WHEREAS, Town of Barton water/sewer owner, MC Properties & Rentals, LLC, requested sewer forgiveness for the property located at 41 Dodge Ave., Waverly, New York due to a leak beyond their control; and

WHEREAS, Village of Waverly Water Department confirmed this leak was a leak beyond their control and most of the water did not go into the sewer pipes; and

WHEREAS, the Town of Barton Town Board requests that the Water and Sewer Clerk take the average of the last four water and sewer consumptions prior to the leak and charge only that average to the landowner; and

WHEREAS, due to the nature of this account where the title of this property was transferred to a new owner (MC Properties & Rentals, LLC) effective 01/25/2024, and there being no tenants that currently occupy this residence since the transfer of ownership, the calculation is being calculated based off of the minimum charges; and

WHEREAS, the minimum 3-month sewer charge, which includes up to 600 cubic feet, totals \$31.56; and

NOW THEREFORE upon a motion by Councilperson _____, seconded by Councilperson _____, and carried; be it

RESOLVED, the Town of Barton Town Board, Tioga County, New York approves the owner's request to adjust the sewer portion only of the recent water and sewer bill due to a leak beyond their control; and be it

FURTHER RESOLVED, the water and sewer bill be reduced from \$3,105.59 to \$875.35, with an adjustment to the sewer portion only, totaling \$2,230.24; and be it

FURTHER RESOLVED, this resolution be forwarded to the Village of Waverly.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 24-2024

SET ETHAN KLOSSNER'S STARTING SALARY

WHEREAS, Town of Barton employee Keith Shipman tendered his retirement with his last day of working full-time to be effective April 22, 2024; and

WHEREAS, Ethan Klossner has applied for this position and meets the job qualifications; and

WHEREAS, Town of Barton Highway Superintendent Fred Schweiger has hired Ethan Klossner as a full-time employee of the Town of Barton Highway Department; and

WHEREAS, Highway Superintendent Fred Schweiger is requesting Ethan Klossner's starting pay be set at \$22.52/hour;

NOW THEREFORE upon a motion by Councilperson _____ seconded by Councilperson _____ and carried; therefore, be it

RESOLVED, that on this day, May 13, 2024, the Town Board of the Town of Barton sets Ethan Klossner's starting full-time pay at \$22.52/hour.