

TOWN OF BARTON

DONALD FOSTER, SUPERVISOR

MINUTES – SEPTEMBER 9, 2024 @ 6:30 PM

Via In-Person

Board Members Present: Supervisor Donald Foster, Councilperson Michael Rice, Councilperson Kevin Everly, Councilperson Jeffrey Coleman, Councilperson David Shipman

Board Members Absent: None.

Staff Present: Fred Schweiger, Highway Superintendent; Arrah Richards-McCarty, Town Clerk; Dan Shay, Deputy Highway Superintendent

Guests:

Duane Wells

The meeting was called to order at 6:30 pm by Supervisor Donald Foster.

Pledge of Allegiance

Privilege of the Floor

Duane Wells asked Highway Superintendent Schweiger what the distance is from the centerline of the road the town has a right-of-way for. Mr. Wells explained that Nelson Road has a lot of dead trees along that road that are within the 25-foot right-of-way.

Highway Superintendent Schweiger stated they have 25 feet from the centerline of the road to be able to operate, if they need to. The right-of-way is a right-of-way to work. They are not obligated to work out to 25 feet. If the town sees fit, they would have to approach the homeowner of the property before the town did anything with the tree because it's still their property. If it's a serious safety hazard (i.e. widow maker), the town wouldn't have to worry about talking to the homeowners. Some dead trees stay up for many years and some healthy trees fall down during storms. There are a lot of dead trees in the town that are within that right-of-way but the town does not have the money, manpower, or resources to go through and cut down every dead tree within the right-of-way. Currently, the highway department is working on the roads. Wintertime is the season they dedicate more time to go out and pickup broken debris and clean up dead trees.

Approval of Minutes: A **motion** to approve last month's regular board meeting minutes as submitted by the Town Clerk made by Councilperson Kev in Everly, seconded by Councilperson Mike Rice. 5-Ayes, 0-Noes

Vouchers: A **motion** to approve the vouchers made by Councilperson Mike Rice, seconded by Councilperson Dave Shipman.

- General Fund \$9,090.93
- Highway \$38,564.68
- Water/Sewer..... \$8,366.64

5-Ayes, 0-Noes

Personnel:

Town Clerk Arrah Richards-McCarty

1. New York State is in the process of changing the rules on the penalty structure for late tax payments. Currently, we are charging a compounding 1% penalty each month the tax bill is paid late. What the state is proposing is that penalties associated with residential real property will be limited to the prime rate [which is currently at 8.5%]. For example, in February of 2024, a 1% penalty was added to their bill. If this law passes, the penalty would be reduced to .67% in February, 1.34% in March (as opposed to 2%) and so on.

Administratively, this will be difficult to impose different penalties on different parcels.

If adopted, this has significant budget consequences for all collecting entities.

This legislation passed both the Senate and Assembly but has NOT been delivered to the Governor for her signature yet. They have until the end of the year to deliver the bill to the Governor.

2. A new list of outstanding dog licenses was placed in each board member's folder.
3. Asked for the board's consideration at looking into a new revenue stream. There are companies out there that offer child safety ID kits. Most kits run about \$2-\$2.50 per kit. It would provide the child's contact information, physical attributes, medical information, a photo, fingerprints, etc.

The board unanimously agreed to have the Town Clerk look further into this. The town cannot make a profit on this, however administrative costs would be a factor when calculating the fee.

4. The Planning Board approved a recent site plan for Polar's Doggy Palace which will be located on Ellis Creek Road.
5. The Waverly-Barton Fire Department submitted their tentative proposed budget. A copy went into board member's folders.

6. The North Barton Grange invites everyone to attend their 150th birthday on September 28, 2024 from 12pm-4pm.

Highway Superintendent Fred Schweiger

- Retaining walls are back up.
- Worked on culverts.
- Moving into blacktopping.
- Milling and filling in some holes.
- Getting ready for next year's oil and stone and treatment.
- Rebuilt about 3-4 different cylinders.
- Got the sky-trak working.

New Business

1. Public Hearing @ 6:45PM – Conveyance of the Former Barton Fire Substation Property to the Town of Barton

Motion to go into public hearing at 6:45 pm made by Board Member Dave Shipman, seconded by Jeff Coleman. All in favor.

No discussion.

Motion to come out of public hearing at 6:45 pm made by Board Member Dave Shipman, seconded by Jeff Coleman. All in favor.

Board Member Mike Rice wants to make sure the town will not be inheriting a piece of property that is going to require putting money into it. Board Member Kevin Everly asked the Highway Superintendent if he'd have any use for that building. Highway Superintendent Schweiger has never been inside the building. He has a severe trepidation about having equipment stored in that building being so far away. Much of his equipment is being stored in the buildings he recently cleaned out. Board Member Jeff Coleman said for \$1.00, he would like to see the Town of Barton own this property rather than have the fire department sell it. Board Members Dave Shipman and Kevin Everly agreed with those thoughts.

Town Clerk Richards-McCarty stated this resolution number will change from 36-2024 to 35-2024.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 09/09/2024
RESOLUTION NO 35-2024

APPROVE CONVEYANCE OF FORMER BARTION FIRE
SUB STATION PROPERTY TO THE TOWN OF BARTON

WHEREAS, at a meeting on June 17, 2024, the Waverly-Barton Fire District Board of Fire Commissioners deemed it fitting to return the Barton Fire Sub Station property to the Town of Barton, provided the town has an interest and use for the property and would like the property back; and

WHEREAS, The Town Board of the Town of Barton is in favor of reacquiring this property; and **NOW THEREFORE** upon a motion by Councilperson Mike Rice, seconded by Councilperson Jeff Coleman and carried; be it

RESOLVED, that on this day, September 9, 2024, the Town Board of the Town of Barton, County of Tioga, State of New York hereby approves the conveyance of the former Barton Fire Sub Station property to the Town of Barton for the consideration of one and 00/100 (\$1.00) lawful money of the United States; and be it

FURTHER RESOLVED, that the Barton Town Board grants the Town Supervisor the authority to sign any and all documentation needed to fulfill implementation of this resolution.

Roll Call Vote:

Mike Rice	Aye
Kevin Everly	Aye
Donald Foster	Abstain
Jeffrey Coleman	Aye
Dave Shipman	Aye

2. Resolution 35-2024_Sewer Bill Adjustment Due to Leak_E. Cella

Town Clerk Richards-McCarty explained to the board that the homeowner had a large leak on her outside spigot. The Village of Waverly verified this leak. She explained that the neighbor had been found to have connected to this outside spigot previously. It could have been shortly after this the spigot broke. A plumber had come out and capped off the spigot so no one would be able to access it. The board unanimously agreed with Board Member Mike Rice that the town has already spent a lot of money on this property and the homeowner refuses to take care of the root cause. Board Member Jeff Coleman pointed out in the resolution it states "due to a leak beyond her control"; he stated she was warned many times.

Supervisor Foster said this resolution has failed due to a lack of a motion.

3. Conversion of Propane to Natural Gas at Well Pump House

Town Clerk Richards-McCarty explained that Tom's Hardware recently purchased the property at Quinlan Park and they had talked to Valley Energy about converting that property to natural gas. A Valley Energy representative came to the Town of Barton to discuss the option of the town converting the well pump house from propane to natural gas. Highway Superintendent Fred Schweiger had filled out the worksheet the representative had

sent over to look at the cost savings and found there to be a significant cost savings to the town.

Motion to move forward with submitting an application of interest and receive a quote from Valley Energy to convert the well pump house from propane to natural gas made by Board Member Kevin Everly, seconded by Jeff Coleman. All in favor.

4. Set Time and Date for Budget Meeting

Motion to schedule a special meeting on Wednesday, October 2, 2024, at 6:00 pm for a budget workshop made by Board Member Dave Shipman, seconded by Mike Rice. All in favor.

Old Business

Board Member Dave Shipman asked for an update on the new trucks. Highway superintendent Schweiger explained the trucks are still on order. The boxes are possibly delayed until 2026. So they grabbed two chassis'. The single-axle that was approved last year was in the works and then the company said it may be held up or canceled due to the state's electric quota. Same thing for the tandem axle, but they put the town of Barton at the front of the line for the tandem because they were 18-speeds instead of Allison's [automatic transmission] and Allison had a strike threat so we got pushed in and bumped up. We'll receive one, or both, chassis last quarter in 2024, maybe January 2025 but it squeaks us ahead of the whole electric initiative. The town may have to look into purchasing equipment out of Pennsylvania if they continue to push this electric initiative. Board Member Dave Shipman said he heard the electric initiative may go federal, too.

Motion to adjourn meeting at 7:00 pm made by Councilperson Kevin Everly, seconded by Councilperson Dave Shipman. All in favor.

Respectfully submitted,

Arrah Richards-McCarty

Town of Barton Town Clerk