

TOWN OF BARTON

DONALD FOSTER, SUPERVISOR

MINUTES – NOVEMBER 13, 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: Dan Shay, Deputy Highway Superintendent; Arrah Richards-McCarty, Town Clerk; Catherine Kozemko, Town Assessor

Guests:

John Gennarino; Waverly, NY
Connie Henson; Waverly, NY
Shawn Bellis; Barton, NY
Wayne Searles; Waverly, NY

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

Pledge of Allegiance

Privilege of the Floor

None.

Approval of Minutes: A **motion** to approve last month's regular board meeting minutes (10/16/2024) as submitted by the Town Clerk with the following edit: ***Remove duplicate resolution*** failed to pass.

Motion to approve Special Meeting minutes (11/04/2024) as submitted by the Town Clerk made by Councilperson Kevin Everly, seconded by Councilperson Jeff Coleman.

5-Ayes, 0-Noes

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

<u>FUND</u>	<u>VOUCHER NO'S</u>	<u>TOTAL CLAIM</u>
➤ General Fund	242-263	\$13,274.34
➤ Highway Fund	155-171	\$36,232.66
➤ Water/Sewer Fund.....	62-65	\$31,196.85

5-Ayes, 0-Noes

Personnel:

Town Clerk Arrah Richards-McCarty

1. Would like to get the board's thoughts on purchasing the extended maintenance on the Neptune Belt Clip Transceiver. I was quoted \$508.08 for a one-year warranty to start January 1, 2025. The original warranty is good only through this year. The cost of a new belt clip transceiver is \$7,500.00. I also was able to receive a credit through this vendor by sending them the old equipment. The credit is for \$175.

Motion to approve the extended maintenance on the belt clip transceiver made by Councilperson Mike Rice, seconded by Councilperson Jeff Coleman.

Roll Call Vote:

Mike Rice	Aye
Kevin Everly	No
Donald Foster	Abstain
Jeffrey Coleman	Aye
Dave Shipman	Aye

Deputy Highway Superintendent Dan Shay

Getting ready for winter.

New Business

1. 6:45 PM - Public Hearing on Proposed Local Law #2 – Providing Real Property Tax Exemptions for Volunteer Firefighters and Ambulance Workers

Proof of Notice having been furnished, motion to go into public hearing at 6:45 PM made by Councilperson Jeff Coleman, seconded by Councilperson Dave Shipman. All in favor.

Town of Barton Assessor Catherine Kozemko briefed the public on how this exemption would work. She would need an annual list [of members] from Halsey Valley, Lockwood and Waverly Barton Fire Department. She would ensure the taxpayer requesting this exemption is an active member and confer with the Fire Chief if necessary. She also explained this exemption would be the most advantageous if the taxpayer's home was assessed at \$140,000 or more. Currently, eligible firefighters and ambulance workers receive a \$200 credit on their [income] taxes. The county has passed this exemption and would deduct 10% from any eligible property tax and if the town passes this law, they would deduct 10% from their town property tax. With both deductions, county and town, for a home that is assessed at \$140,000, the exemption would total about \$203. Anything below this assessment (\$140,000) provides a lesser credit than they currently receive.

All persons desiring to be heard, having been heard, the Hearing terminated at 6:54 PM made by Councilperson Dave Shipman, seconded by Councilperson Mike Rice. All in favor.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 11/13/2024
RESOLUTION NO 42-2024

ADOPT LOCAL LAW NO. 02 OF 2024 PROVIDING REAL
PROPERTY TAX EXEMPTIONS FOR VOLUNTEER
FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT
TO SECTION 466-A OF THE REAL PROPERTY TAX LAW

WHEREAS, The Town Board of the Town of Barton has determined that attracting and retaining quality volunteer firefighters and ambulance workers is a key component in providing for the safety and welfare of Town of Barton residents; and

WHEREAS, the Town Board of the Town of Barton deems is appropriate to enact a local law to grant a real property tax exemption for volunteer fire fighters and ambulance workers pursuant to section 466-a of the Real Property Law; and

NOW THEREFORE upon a motion by Councilperson Mike Rice, seconded by Councilperson Dave Shipman and carried; be it

RESOLVED, that on this day, November 13, 2024, the Town Board of the Town of Barton, County of Tioga, State of New York, adopts the following local law as set forth herein:

LOCAL LAW NO. 02 of 2024

**A LOCAL LAW PROVIDING REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND
AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW
BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF BARTON, COUNTY OF TIOGA, STATE OF
NEW YORK AS FOLLOWS:**

Section 1. Purpose.

The Town Board of the Town of Barton, has determined that attracting and retaining quality volunteer firefighters and ambulance workers is a key component in providing for the safety and welfare of Town of Barton residents, but also presents a significant challenge throughout the municipalities of Tioga County.

The Town Board of the Town of Barton has also determined that real property tax exemptions are an appropriate way to recognize the sacrifice and dedication of volunteer firefighters and ambulance workers and are an appropriate tool to help recruit and retain these volunteers.

Accordingly, it is the purpose of this Local Law to adopt the Real Property Tax Exemptions for Volunteer Firefighters and Ambulance Workers pursuant to Section 466-a of the Real Property Tax Law.

Section 2. Real Property Tax Exemption.

Real Property owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated volunteer ambulance service, or by such enrolled member and their spouse, shall be exempt for ten percent (10%) of the assessed value of their property for calculation of real property taxes for the Town of Barton, exclusive of special assessments.

Section 3. Eligibility Requirements.

Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, provided that:

- A. The volunteer firefighter or ambulance worker resides in the Town of Barton and the Town of Barton is served by such incorporated fire company, fire department or incorporated voluntary ambulance service; and
- B. The property is owned by the volunteer firefighter or ambulance worker, including property owned jointly with their spouse; and
- C. The property is the primary residence of the volunteer firefighter or ambulance worker; and
- D. The property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not used exclusively for the applicant's residence, but is used for other purposes, such portion shall be subject to taxation, and the remaining portion only shall be entitled to the exemption provided by this Local Law; and
- E. The volunteer firefighter or ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- F. The volunteer firefighter or ambulance worker meets the minimum service requirement established by the Town of Barton for exemption from Town of Barton real property taxes, which is hereby established as two (2) years of service.

Section 4. Lifetime Exemption.

Any eligible enrolled member who accrues more than 20 years of active volunteer service, as certified by the authority having jurisdiction, shall be granted the ten percent (10%) exemption, as authorized by this Local Law, for the remainder of their life, as long as their primary residence is located within the Town of Barton.

Section 5. Un-remarried Surviving Spouse of Enrolled Member Killed in the Line of Duty.

The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction, is qualified to continue to receive the ten percent (10%) exemption, as long as the deceased volunteer had been an enrolled member for at least five (5) years of service and had been receiving the exemption prior to their death.

Section 6. Un-remarried Surviving Spouse of Enrolled Member with Lifetime Exemption

The un-remarried surviving spouse of a deceased enrolled member, as certified by the authority having jurisdiction, who had been receiving a lifetime exemption as a result of accruing over twenty (20) years of service is qualified to continue to receive the ten percent (10%) exemption as long as the deceased volunteer had been receiving the exemption prior to their death.

Section 7. Certification and Application Process

- A. The volunteer firefighter and ambulance service organizations in the County of Tioga are responsible for certifying which members, and un-remarried surviving spouses, are qualified for the ten percent (10%) real property tax exemption.

- B. The volunteer firefighter and ambulance service organizations in the Town of Barton must annually submit to the appropriate Town Assessor, by the last business day on or before January 31st, a list of members, and un-remarried surviving spouses, who they have certified as eligible to receive the real property tax exemption.
- C. The volunteer firefighter and ambulance service organizations in the Town of Barton must annually provide to their members, and un-remarried surviving spouses, upon request, a certification of the member's or un-remarried spouse's eligibility for the real property tax exemption, to include the number of years of service, confirmation of enrollment as of the date of certification, or date of death, and the address of residence.
- D. Members, or un-remarried surviving spouses not receiving a lifetime exemption must file, annually, on or before taxable status date of March 1st, an application for this exemption with the Barton Town Assessor. The Town Assessor will have the proper form and instructions, as prescribed by the New York State Commissioner of Taxation and Finance.
- E. Members or un-remarried surviving spouses receiving a lifetime exemption do not need to file annually, so long as their eligibility status is unchanged.

Section 8. No Diminution of Benefits

No applicant who is a volunteer firefighter or ambulance worker who by reason of such status is receiving any benefit under the provisions of the law on the effective date of this Local Law shall suffer any diminution of such benefits because of the provisions of this Local Law.

Section 9. Severability

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 10. Effective Date

This Local Law will take effect on January 1, 2025, and shall apply to taxable status dates occurring on or after such date.

Roll Call Vote:

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

Old Business

1. Conversion of Propane to Natural Gas at Well Pump House – The Town Clerk left a couple messages with no reply.

Motion to adjourn meeting at 6:56 PM made by Councilperson Kevin Everly, seconded by Councilperson Jeff Coleman. All in favor.

Respectfully submitted,

Arrah Richards-McCarty
Town of Barton Town Clerk

DRAFT