

TOWN OF BARTON

LEON CARY, SUPERVISOR

AGENDA - JULY 13, 2020 @ 6:30 PM

Via Zoom Phone/Video Conference

Join Zoom Meeting:

<https://us02web.zoom.us/j/85699941612?pwd=QmJJdjVtcmQyMjA1bkhDQml4dE1idz09>

Dial: 1 (646) 558-8656

Meeting ID: 856 9994 1612

Password: 646801

1. PLEDGE OF ALLEGIANCE
2. PRIVILEGE OF THE FLOOR
3. APPROVE MINUTES OF PREVIOUS MEETINGS
4. APPROVE VOUCHERS FOR HIGHWAY, GENERAL, SEWER AND WATER FUNDS
5. PERSONNEL
 - a. Town Clerk
 - b. Highway Superintendent
6. NEW BUSINESS
 - a. Resolution 19-2020 (*Attached*)– Tax Certorari Settlement for Allentown Properties, LLC
 - b. Resolution 20-2020 (*Attached*) – Proposed Sewer Rate Increase
 - c. Resolution 21-2020 (*Attached*) – Standard Work Day and Reporting Resolution
 - d. Resolution 22-2020 (*Attached*) – Deposit Funds into Capital Machinery Reserve Fund
 - e. Resolution 23-2020 (*Attached*) – Amend Cemetery Rules and Regulations
7. OLD BUSINESS
 - a. Railroad
8. ADJOURNMENT

Draft Resolutions

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 19-2020

TAX CERTORARI SETTLEMENT FOR ALLENTOWN
PROPERTIES, LLC

WHEREAS, Allentown Properties, LLC ("Allentown") initiated a tax certiorari proceeding contesting the assessment for the parcel located at 403 Chemung Place, Waverly, New York, in the Town of Barton (Tax Map No. 166.15-3-19) in 2015 and 2016; and

WHEREAS, 95 NYRPT, LLC ("95") initiated a tax certiorari proceeding contesting the assessment for the parcel located at 403 Chemung Place, Waverly, New York, in the Town of Barton (Tax Map No. 166.15-3-19) in 2017, 2018, and 2019; and

WHEREAS, Allentown and 95 were seeking a reduction of the current total assessment from \$546,900 to \$300,000; and

WHEREAS, a negotiated settlement has been reached which will not require any refund of Town property taxes and this settlement has the support of the Town of Assessor; and

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

RESOLVED, that Town Board of the Town of Barton authorizes the settlement in the tax certiorari cases of Allentown Properties, LLC v. The Board of Assessment Review for the Town of Barton; The Assessor of the Town of Barton and The Town of Barton, New York (Index Nos. 45878, 46705) and 95 NYRPT, LLC v. The Board of Assessment Review for the Town of Barton; The Assessor of the Town of Barton and The Town of Barton, New York (Index Nos.47645, 2018-60037, 2019-60637) for the real property known as 403 Chemung Place in the Town of Barton for an assessed value of \$546,900 for the assessment rolls of the Town of Barton for years 2015, 2016, 2017, 2018, and 2019 and for the assessed value of \$480,000 for the assessment rolls of the Town of Barton for the year 2020.

BE IT FURTHER RESOLVED, the Town Board of the Town of Barton authorizes Kimberlee Balok Middaugh, Esq., as Town Attorney, to execute the Stipulation of Settlement and further authorizes the Town Attorney and the Town Supervisor to execute any documents or take any actions necessary to effectuate this settlement.

Roll Call Vote:

Leon Cary
John Tryon
David Shipman
Kevin Everly
Don Foster

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 20-2020

PROPOSED SEWER RATE INCREASE

WHEREAS, the Town of Barton has received an increase from the Village of Waverly on the sewer rates, and

WHEREAS, the Town of Barton must in turn pass the increased rates onto those utilizing the sewer in the Town of Barton; and

WHEREAS, the proposed increase in the sewer rate is \$0.25 per 100 cubic feet; and

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

RESOLVED, that the Town of Barton Town Board increase the sewer rate from \$4.60 to \$4.85 per 100 cubic feet, starting at the next billing cycle.

Roll Call Vote:

Leon Cary
John Tryon
David Shipman
Kevin Everly
Don Foster

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 21-2020

STANDARD WORK DAY AND REPORTING
RESOLUTION

WHEREAS, The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term;

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

RESOLVED, that the Town of Barton hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Arrah Richards	4771	R11026067	Town Clerk	01/01/2020-12/31/2023	7.00	21.33	<input type="checkbox"/>	Bi-weekly	<input type="checkbox"/>
Dave Shipman		41423252	Bookkeeper	01/01/2020-12/31/2020	6.00	0.33	<input type="checkbox"/>	Bi-weekly	<input type="checkbox"/>
Frederick Schweiger	2149		Highway Superintendent	01/01/2020-12/31/2023	8.00	30.08	<input type="checkbox"/>	Bi-weekly	<input type="checkbox"/>
Appointed Officials:									
Melanie Sinsabaugh	9246	41423252	Bookkeeper	01/01/2020-12/31/2020	6.00	4.42	<input type="checkbox"/>	Bi-weekly	<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>
							<input type="checkbox"/>		<input type="checkbox"/>

Roll Call Vote:

Leon Cary
John Tryon
David Shipman
Kevin Everly
Don Foster

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 22-2020

DEPOSIT FUNDS INTO CAPITAL MACHINERY
RESERVE ACCOUNT (DA231)

WHEREAS, the Town of Barton Highway Superintendent scrapped the 2010 Freightliner M916A3 Military T/A Tractor; and

WHEREAS, the Highway Superintendent received a check from Roy Teitsworth, Inc., from Geneseo, NY, in the amount of \$26,000 for the scrapped Freightliner; and

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

RESOLVED, this check, in its entirety, is to be deposited into the following account:

Capital Machinery Reserve Account (DA231)

Roll Call Vote:

Leon Cary
John Tryon
David Shipman
Kevin Everly
Don Foster

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 23-2020

AMEND CEMETERY RULES AND REGULATIONS

WHEREAS, resolution 05-2011 set the cemetery rules and fees; and resolutions 05-2016 and 14-2020 amended these cemetery rules and regulations; and

WHEREAS, it is necessary to update these rules and regulations regularly; and

WHEREAS, the Town of Barton's interment charges include perpetual care whereas hiring a contractor does not, and

WHEREAS, it is necessary to include a burial permit fee to offset the cost of maintaining these cemeteries year after year if utilizing an approved contractor rather than the Town of Barton employees; and

WHEREAS, it is necessary to have an approved contractor list for opening/closing gravesites; and

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

RESOLVED, the burial permit fee will be set at \$175.00 for a single lot burial and \$100.00 for a cremation burial; and

BE IT FURTHER RESOLVED, this fee must be paid to the Town of Barton Town Clerk prior to interring the remains; and

BE IT FURTHER RESOLVED, Attachment A of the Cemetery Rules and Regulations be updated to reflect these prices; and

BE IT FURTHER RESOLVED, a contractor must submit, and keep current, their contact information, certificate of liability insurance, and a list of 2-3 business references to be reviewed and approved by the Cemetery Commissioner in order to be placed on the "Approved Contractors" list; and

BE IT FURTHER RESOLVED, the Town of Barton Cemetery Rules and Regulations will be posted and updated as needed on the Town of Barton website.