**Village of Marathon Board of Trustees**

Meeting on March 20, 2024

Mayor Scott Chamberlin made a motion to open two public hearings of the Village of Marathon Board of Trustees held at the Village Office 7:00 pm. Trustees present were Trustee Dann, Trustee Birdsall, Trustee Canfield and Deputy Mayor Fralick Also present was Clerk/Treasurer Padbury.

Public Attendees: Leg. William McGovern, William Anderson, Laurie Tebbe, Bruce Briggs, unidentified resident and DPW Supervisor Matt Kenyon.

The first public hearing to discuss Local Law #1 of 2024 “Local Law authorizing a Property Tax Exemption to Volunteer Firefighters and Volunteer Ambulance Workers”. Mayor Chamberlin read the law and asked if there were any comments.

* Legislature William McGovern stated he didn’t think it was a bad thing, it may motivate more individuals to join the local fire department.
* William Anderson – asked if there were any guidelines? ‘ Mayor – “yes they have to have a residence in the Village and live there, the volunteers also have to be active volunteers for a required time.” Would the extra expense be passed on to other tax payers? “Mayor – yes”

Mayor Chamberlin gave two more opportunities for comments, with no more comments Mayor Chamberlin closed the first public Hearing at 7:10pm.

The second public hearing was opened at 7:10pm; to discuss Local Law #2 of 2024 “A local law authorizing a tax levy in excess of the limit established in General Municipal Law § 3-c”

Mayor Chamberlin read the law and asked if there were any comments.

* Mayor Chamberlin stated the tax cap percentage is lower than the current inflation rate
* William Anderson – Felt that the increase would be hard on people with fixed incomes.
* Mayor Chamberlin hopefully the board will be able to keep the increase close to the tax cap.

Mayor Chamberlin gave two more opportunities for comments, with no more comments Mayor Chamberlin closed the first public Hearing at 7:15pm.

The regular meeting of the Village of Marathon Board of Trustees held at the Village Office, was called to order by Mayor Scott Chamberlin, at 7:15 p.m.

Motion made by Trustee Birdsall and seconded by Trustee Dann to approve the minutes of the March 6, 2024 meeting. Motion approved; Deputy Mayor Fralick abstained.

Public Comments:

William Anderson received an Order of Remedy to remove an unlicensed vehicle from his property on West Main St. feels that he is being singled out by the Adam Brown (Village of Marathon Code Enforcement Officer). Mr. Anderson called Mr. Brown to discuss “Order of Remedy” and was told by Mr. Brown that there were only two or three unlicensed vehicles within the Village limits. Mr. Anderson drove around the Village limits and stated he found at least 47 unlicensed vehicles he provided the board with pictures of some of the vehicles he found. Mr. Anderson feels he is being harassed and is looking into taking further action. After a brief the discussion the mayor told Mr. Anderson that he will look into the situation.

Laurie Tebbe –(Town of Marathon Historian) Laurie noticed that the pictures in the Gulf School located on Lovell’s Field are beginning to fade. Her and her husband tried to put UV film on the windows to help protect pictures, but the windows were too fragile. The historical society has offered to pay and install blinds on the windows if Ok’s by the Village board. The board told her to go ahead with the blinds.

Bruce Briggs – What is the code for furniture being out by the curb. He has called Blue Moose to pick up the furniture, but they not give him an exact day or time of when they were going to pick it up. Mayor Chamberlin stated that there is a junk law within the Village and no furniture should be left out. The mayor suggested Mr. Briggs contact Chad Parker at Blue Moose to get an exact day and time and put it out then.

What is the Village doing about cars parked on Main St. all day in a 2-hour parking zone in front of the green and school? Mr. McGovern said that when John Pitman was mayor the Village hired a parking attendant to monitor cars parked along Main St. the attendant resigned and the position was never filled. Village Board will look into getting a part-time employee to fill this position.

Leg. William McGovern: (Legislative update) – Village of Marathon was awarded $2,700 in Amnesty funds. The Building & Ground Committee passed a motion to create (2) Solid Waste Flow Control Officers-Highway Department ($30/hr. per diem, no benefits). Contractors are trying to bring trash in to landfill from other counties and taking trash from Cortland County to other counties therefore losing revenue. How are they going to be able to regulate this? Trustees Birdsall feels that the county landfill fees are higher than other counties. Town and Villages are having problems with trash being left out maybe the counties shared services program could help out with this. Mr. McGovern – the landfill is not losing monies the county is putting extra money in reserves to pay for capping the current area.

William Anderson – Asked if the Village Board has discussed the dissolution of the Village and annexation into the Town of Marathon. Mayor Chamberlin commented that the Village cannot be annexed to the Town because of the municipal electric department. If the Village was dissolved it would render the contract between the Village and NYPA to be null and void. The town would not be able to renew the contract. The Village residents would have to get electric from independent sources at a much higher rate.

Civic Center:

* Mayor Chamberlin asked the Village Board to think about some ways to make money for the Civic Center. The fund is falling very low in cash.

DPW:

* Matt Kenyon presented the Village Board with the following truck quotes (Onondaga County State Bid Pricing):
  + Conway Beam - $280,144.24
  + Tracey Road - $245,631.40
* Additional surcharges may be assessed between time of order and delivery on both quotes
* Stadium International quote of $220,518.40 is valid until the end of April 2024 at which point the price may go up. There will be no surcharges assessed after truck has been ordered.
* Mayor Chamberlin asked if the Stadium International sales rep could attend the next meeting. Matt said we would ask.
* Prices for snow pushers – 10ft $5,330 – 12ft $5,750 there was a brief discussion no decision made.
* Tentative Amnesty Day June 8, 2024 – Trustee Fralick concerned that there may be community wide sale that week-end. Trustee Fralick will check and let board know. Board will revisit at the next meeting.
* Matt will set up a schedule for brush removal

Mayor Chamberlin:

* Mayor Chamberlin contacted Scott Steve (Mayor - City of Cortland) on who inspects the playgrounds for the City of Cortland. Mayor Steve said that they have a city employee that is certified to inspect the playgrounds. Mayor Steve will send this employee down to inspect the playground located on Lovell’s Field. At the County Planning Meeting it was mentioned that Marathon has the best playground around, this individual was not a Village resident.
* Paul Gallow (Pro-Audio) met with Mayor Chamberlin and Treasurer Padbury to discuss security for the main office building, substation and Civic Center. Mr. Gallow will be quoting cameras, video recorders and security locks for office doors.

Motion made by Trustee Dann, seconded by Trustee Canfield to permit the disconnect policy to be implemented for those accounts on the outstanding balance list. Motion approved; all in favor

Motion made by Trustee Canfield, seconded Deputy Mayor Fralick to adopt the following resolution proclaiming April 2024 as “Fair Housing Month”

Resolution 24-2:

“WHEREAS, in accordance with the Title VIII Fair Housing Policy of the

Civil Rights Act of 1968 and the Fair Housing Amendments Act of 1988 and,

WHEREAS, the month of April 2023 has been designated by the U.S.

Department of Housing and Urban Development's Office of Fair Housing and

Equal Opportunity as Fair Housing Month.

NOW THEREFORE BE IT RESOLVED, that the Village of Marathon

hereby declares and proclaims April as Fair Housing Month in the Village

Roll call vote: Trustee Birdsall Aye; Trustee Canfield Aye; Deputy Mayor Fralick Aye; Trustee Dann Aye; and Mayor Chamberlin Aye. 5 Ayes 0 Nyes; Motion approved, Resolution duly adopted.

Motion made Trustee Birdsall, seconded by Trustee Canfield to adopt Local Law #1 of 2024 “Local Law authorizing a Property Tax Exemption to Volunteer Firefighters and Volunteer Ambulance Workers”

Village of Marathon, County of Cortland

Title: A local law authorizing a Property Tax Exemption to Volunteer Firefighters and Volunteer Ambulance Workers

Section1. Purpose

The state Real Property Tax Law was amended by Chapter 670 of the Laws of 2022 by the addition of a new §466-a providing for a ten percent partial real property tax exemption of the assessed value of the primary residence owned by a qualified enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service that serves the Village. The intent of this Local Law is to permit the partial real property exemption for such qualified enrolled members of said emergency services organizations for real property taxes imposed by the Village.

Section 2. Authority

Pursuant to Chapter 670 of the Laws 2022 effective December 9, 2022, the state Real Property

Tax Law was amended by adding a new §466-a authorizing local governments including villages to enact by local law, ordinance or resolution such partial tax exemption for Village real property taxes to qualified enrolled members of said emergency services organizations, following a public hearing.

Section 3. Grant of Exemption

The primary residential real property located in the Village that is owned by an enrolled member of an incorporated volunteer fire company, volunteer fire department or incorporated voluntary ambulance service that provides services within the Village shall be exempt from taxation and assessments levied by the Village to the extent of ten percent (10%) of the assessed value of such property, exclusive of special assessments, subject to the requirements set forth in this herein.

Section 4. Authority having Jurisdiction

For purposes of this Local Law the “Authority having Jurisdiction” shall mean the Board of Fire Commissioners of the Marathon Joint Fire District.

Section 5. Eligibility

Such exemption shall not be granted unless:

1. The applicant resides in the Village which is served by such incorporated volunteer fire company, volunteer fire department or incorporated voluntary ambulance service of which the applicant is qualified enrolled member;
2. the property is the primary residence of the applicant;
3. the property is used exclusively for residential purposes; provided, however, that if 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
4. the applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or voluntary ambulance service as an enrolled member who has served such incorporated volunteer fire company, fire department, or volunteer ambulance service for at least two (2) years; and
5. the applicant must submit said certification from the authority having jurisdiction together with the tax exemption application.

Section 6. Grant of Lifetime Exemption

Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty (20) years of active service, and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department or incorporated voluntary ambulance service, shall be granted the (10%) exemption authorized by this Local Law for the remainder of his or her life as long as his or her primary residence is located within the Village of Marathon

Section 7. Surviving, Un-Remarried Spousal Exemption for Volunteer Firefighters or Volunteer Ambulance Workers Killed in the Line of Duty

The property tax exemption authorized by this Local Law and granted to an enrolled member of

an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service shall, upon application, be continued to such deceased enrolled member’s un-remarried spouse if such member is killed in the line of duty, provided that:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of such enrolled member who was killed in the line duty;
2. such deceased volunteer had been an enrolled member for at least five (5) years, and
3. such deceased volunteer had been receiving the exemption prior to his or her death.

Section 8. Surviving, Un-remarried Spousal Exemption for Deceased Volunteer Firefighters or Volunteer Ambulance Workers with Twenty Years of Enrolled Member Service.

The property tax exemption authorized by this local law and granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service shall, upon application, be continued to such deceased enrolled member’s un-remarried spouse, provided that:

1. Such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of such enrolled member;
2. such deceased volunteer had been an enrolled member for at least twenty (20) years; and
3. such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.

Section 9. Application

An application form for such exemption and a certification provided by the appropriate authority having jurisdiction shall be filed with the Assessor for the Village on or before the taxable status date of each year or as otherwise required as prescribed by New York State.

Section 10. No Diminution of Benefits

No applicant who is a volunteer firefighter or volunteer ambulance worker who by reason of such status is receiving any benefit under the provisions of Article 4 of the state Real Property Tax Law on the effective date of this Local Law shall suffer any diminution of such benefit because of the provisions of the Local Law

Section 11. Severability

If any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstances, directly involved in the controversy in which such judgment or order shall be rendered.

Section 12. Effective Date

This Local law shall take effect immediately upon filing with the Secretary of State.

Roll call vote: Trustee Birdsall Aye; Trustee Canfield Aye; Deputy Mayor Fralick Aye; Trustee Dann Aye; and Mayor Chamberlin Aye. 5 Ayes 0 Nyes;

Local Law #1 of 2024 was duly declared adopted.

Motion made Deputy Mayor Fralick, seconded by Trustee Dann to adopt Local Law #2 of 2024 “Local Law authorizing a Property Tax Levy in Excess of the Limit Established in General Municipal Law § 3-c”

Village of Marathon, County of Cortland

Section 1. Legislative Intent

It is the intent of this local law to allow the Village of Marathon to adopt a budget for the fiscal year commencing June 1, 2024 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax levy Limit Override

The Board of Trustees of the Village of Marathon, County of Cortland, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgement shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section e. Effective Date

This local law shall take effect immediately upon filing with the Secretary of State

Roll call vote: Trustee Birdsall Aye; Trustee Canfield Aye; Deputy Mayor Fralick Aye; Trustee Dann Aye; and Mayor Chamberlin Aye. 5 Ayes 0 Nyes;

Local Law #2 of 2024 was duly declared adopted.

Motion made by Trustee Dann and seconded by Trustee Birdsall to approve the bills as submitted for payment totaling $87,083.71:

General Fund: $8,364.60

Sewer Fund: $3,216.91

Water Fund: $756.32

Electric Fund: $73,759.49

Consumer Deposits: $60.00

Civic Center: $1,034.39

Motion approved; all in favor.

Motion made by Trustee Dann and seconded by Trustee Canfield to adjourn at 9:08 pm.

Respectfully submitted,

Laura Padbury