

TOWN OF BARTON

DONALD FOSTER, SUPERVISOR

AGENDA – AUGUST 10, 2026 @ 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. 6:45pm Public Hearing to determine properties of 311 and 313 Norris Road Waverly, NY 14892 constitutes a public nuisance requiring abatement by the Town of Barton
- b. Renew fueling station agreement between Waverly Central School District and the Town of Barton
- c. Discussion on establishing a volunteer cemetery maintenance and cleanup program and authorized activities by the Town of Barton
- d. Discussion on Volunteer Release and Waiver of Liability Form
- e. Discussion on public notice for intent to conduct volunteer gravestone conservation at King Cemetery
- f. Accept Ethan Klossner's resignation
- g. Set Dylan Hartman's starting salary
- h. Executive Session

7. OLD BUSINESS

8. ADJOURNMENT

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 8a-2026

A RESOLUTION TO DECLARE PROPERTIES OF 311 AND 313 NORRIS ROAD WAVERLY, NY 14892 A PUBLIC NUISANCE REQUIRING ABATEMENT BY THE TOWN OF BARTON

WHEREAS, the Town of Barton tax assessment records show Elena Cella as the owner of real property at 311 and 313 Norris Road, Waverly, NY 14892, and;

WHEREAS, on multiple occasions, Town of Barton officials have attempted to compel real property owner Elena Cella to remedy the substandard condition of the two properties in question, and;

WHEREAS, the Town of Barton Code Enforcement Officer, Chris Robinson, has issued numerous appearance tickets to Elena Cella to appear before the Town of Barton Town Justice regarding this issue, and;

WHEREAS, notice of time, place, and date of public hearing was posted conspicuously on Elena Cella's 311 and 313 Norris Road Waverly, NY 14892 properties at least 15 days prior to the scheduled public hearing; and

WHEREAS, same notice of time, place, and date of public hearing was mailed to Elena Cella by certified mail/return receipt requested at least 15 days prior to the scheduled public hearing; and

WHEREAS, a public hearing was held on this matter on August 10, 2026, at 6:45 pm before the Town of Barton Town Board upon public notice provided by law; and

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

RESOLVED, that on this day, August 10, 2026, the Town Board of the Town of Barton, County of Tioga, State of New York declare properties located at 311 and 313 Norris Road Waverly, NY 14892 a public nuisance requiring abatement by the Town of Barton, and be it;

FURTHER RESOLVED, that the abatement and removal of the public nuisance shall be performed by a designee or agent, including private contractors, lawfully engaged and authorized by the Town of Barton; and be it

FURTHER RESOLVED, that the Town Board of the Town of Barton shall ascertain the cost of abatement and removal and assess such expense against the record owner of the properties (Elena Cella); and be it

FURTHER RESOLVED, that the expense so assessed shall constitute a lien in charge on Elena Cella's real property on which it is levied until paid or otherwise satisfied or discharged and shall be collected in charges; and be it

FURTHER RESOLVED, that the foregoing shall not be construed as a limitation on the Town of Barton's potential remedies to recover its costs; and be it

FURTHER RESOLVED, that this resolution be in effect immediately.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 8b-2026

RENEW FUELING STATION AGREEMENT BETWEEN
WAVERLY CENTRAL SCHOOL DISTRICT AND THE
TOWN OF BARTON

WHEREAS, The Town Board of the Town of Barton wishes to renew the fueling station agreement between the Town of Barton and the Waverly Central School District; 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 fueling station agreement between Waverly Central School District and the Town of Barton; 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 8c-2026

ESTABLISHING A VOLUNTEER CEMETERY
MAINTENANCE AND CLEANUP PROGRAM AND
AUTHORIZED ACTIVITIES BY THE TOWN OF
BARTON

WHEREAS, pursuant to New York General Municipal Law 165, municipal corporations are authorized and empowered to establish volunteer cemetery maintenance and cleanup programs to maintain and cleanup municipal cemeteries wholly maintained within their jurisdiction; and

WHEREAS, the Town Board of the Town of Barton seeks to officially authorize volunteer cleanup activities and outline the permissible scope of work; and

WHEREAS, pursuant to NYS General Municipal Law 165 (3), the Town of Barton is authorized to release itself from liability for any damage sustained by a person participating in such cleanup programs; and

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

RESOLVED, that on this day, August 10, 2026, the Town Board of the Town of Barton, County of Tioga, State of New York, establishes the Town of Barton Volunteer Cemetery Maintenance and Cleanup Program; and be it

FURTHER RESOLVED, that pursuant to General Municipal Law 165 (3), the Town of Barton shall not be liable for any damages sustained by any person participating in this program, and no cause of action for such damages shall be adjudicated against the Town of Barton; and be it

FURTHER RESOLVED, that all volunteers must register with the Town Clerk and execute a volunteer waiver and Release of Liability form prior to participating in any cleanup activities, thereby holding the Town of Barton harmless from any damages or injuries sustained during such participation, and be it

FURTHER RESOLVED, that the scope of the volunteer cleanup activities shall be approved in advance by the Town of Barton Cemetery Commissioner; and be it

FURTHER RESOLVED, that this resolution shall take effect immediately upon its adoption.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 8d-2026

PUBLIC NOTICE FOR INTENT TO CONDUCT
VOLUNTEER GRAVESTONE CONSERVATION AT
KING CEMETERY

WHEREAS, Town of Barton resident Rick Stevens has made a request of the Town Board of the Town of Barton put a legal notice in the legal section of the Morning Times for volunteer work at the King Cemetery; and

WHEREAS, after careful consideration, the Barton Town Board agrees with this request; and

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

RESOLVED, that on this day, August 10, 2026, the Town Board of the Town of Barton, County of Tioga, State of New York approves the following legal notice:

PUBLIC NOTICE: INTENT TO CONDUCT VOLUNTEER GRAVESTONE CONSERVATION

Notice is hereby given that volunteer residents of the Town of Barton, in coordination with King Cemetery and the Town of Barton municipality, intends to conduct volunteer gravestone conservation, cleaning, and repair work at King Cemetery located at Old Route 34 and Madigan Road Waverly, NY 14892.

Proposed activities:

- Condition assessment and photographic documentation of grave markers
- Gentle cleaning of markers using only approved, non-damaging solutions (E.G. D/2 Biological Solution)
- Up-righting and resetting of unstable or fallen stones following safe, approved guidelines.
- Removal of overgrown vegetation and debris that threatens the integrity of the markers.
- Any other cemetery projects sanctioned by the Town of Barton Cemetery Commissioner.

PROJECT SCHEDULE:

Start Date: _____

Completion Date: _____

Work will generally occur between the hours of _____ and _____ on _____ days of the week.

GET INVOLVED AND CONTACT INFORMATION:

Community members interested in volunteering, or descendants with specific inquiries or concerns regarding the conservation of a specific family plot, are encouraged to contact the project organizer prior to the start date.

CONTACT NAME: Rick Stevens

PHONE: _____

Comments, questions, or requests for specific markers to be excluded from the project must be submitted in writing to the Town of Barton Cemetery Commissioner as soon as reasonably possible.

And be it

FURTHER RESOLVED, in the event that the last known plot owner cannot be found, notice may be given by publishing the same, once each week for three consecutive weeks in the Morning Times. Such notice shall be addressed to the last known owner and to all persons having or claiming any interest in or to the burial lot on which the monument or their marker is located. The notice shall date from the date of mailing such notice by Registered or Certified Mail, or the date of the third publication in the Morning Times; and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED

RESOLUTION NO 8e-2026

SET DYLAN HARTMAN'S SALARY

WHEREAS, Town of Barton employee Ethan Klossner had tendered his resignation effective July 23, 2026; and

WHEREAS, Dylan Hartman has applied for this position and meets the job qualifications; and

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

WHEREAS, Highway Superintendent Fred Schweiger is requesting Dylan Hartman's starting pay be set at \$26.00/hour;

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

RESOLVED, that on this day, August 10, 2026, the Town Board of the Town of Barton sets Dylan Hartman's starting full-time pay at \$26.00/hour.