

TOWN OF BARTON

DONALD FOSTER, SUPERVISOR

MINUTES – OCTOBER 14, 2026 @ 6:30 PM

Via In-Person

Board Members Present: Supervisor Donald Foster, Councilperson Michael Rice, Councilperson Andy Plaisted, Councilperson Jeffrey Coleman, Councilperson David Shipman

Board Members Absent: None.

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

Guests:

Richard J. Stevens; Waverly, NY

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

Pledge of Allegiance

Privilege of the Floor

Rick Stevens began by discussing the legal notice for King Cemetery. He had been in contact with Mr. Schweiger and Town Clerk Richards-McCarty. Mr. Stevens explained that while the notice published earlier seeking volunteers was appropriate for volunteer participation, it did not sufficiently address liability concerns for plot owners. He stated that the second notice—provided in the packet distributed to the Town Board—is the one that Jessica Rosario from the NYS Division of Cemeteries would prefer the town use. Mr. Stevens recommended adopting that version.

He continued by noting that while he can repair many of the markers himself, some require professional work. He consulted King Monument Company of Spencer and Binghamton. Mr. King inspected the cemetery on September 21, 2026, surveyed the entire site, and determined that four of the markers could not be feasibly uprighted without professional equipment. Mr. Stevens provided the board with a detailed cost sheet for the necessary repairs.

Town Clerk Richards-McCarty reported that Superintendent Schweiger, Supervisor Foster, and she had spoken earlier in the day with Ms. Rosario of the NYS Department of State – Division of Cemeteries. When the cleanup process began in July 2026, the board had agreed to post a notice seeking volunteers to assist Mr. Stevens. There had been questions regarding whether Article 15 applied. Because the cemetery is municipally owned and not a Not-For-Profit cemetery, the town is exempt from Article 15 requirements. However, Ms. Rosario advised that it is still considered best practice to follow Article 15 procedures, which the legal notice in question aligns with. Supervisor Foster also noted that the original volunteer notice included

language inviting anyone with concerns about specific monuments to contact the town. No calls were received.

Discussion followed.

The board unanimously agreed that no further action regarding notices was necessary. Mr. Stevens stated that he mainly wanted to ensure the town understood and mitigated potential risks.

Mr. Stevens also reported that he filed a complaint regarding unregistered trailers on June 17, 2026. This issue was later referred to Chris Robinson during a board meeting. Mr. Stevens reached Mr. Robinson on August 12, 2026, but was informed that no action would be taken due to the large number of similar cases in the Town of Barton. Mr. Stevens expressed dissatisfaction with this response, stating, "That's not a great answer."

He further noted that Madigan Road continues to be damaged by trucks from Casella Waste Systems, the company that succeeded Taylor Garbage. The garbage trucks have trailing single tires on the rear axle that drop when the trucks are too heavy or moving too quickly, leaving skid marks on Madigan Road and Old Route 34. Mr. Stevens stated he has contacted the company twice and planned to bring the issue to the town if it happened again. Superintendent Schweiger said he would reach out to the company.

Finally, Mr. Stevens inquired about the cleanup on 313 Norris Road. Supervisor Foster stated that although the site had been cleaned, the debris and conditions were beginning to return.

Approval of Minutes: A **motion** to approve September Regular Meeting minutes and October Special Meeting Minutes as submitted by the Town Clerk made by Councilperson Andy Plaisted, seconded by Councilperson Mike Rice. All in favor.

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

2026 (Abstract 10):

<u>FUND</u>	<u>VOUCHER NO'S</u>	<u>TOTAL CLAIM</u>
➤ General Fund	239-262.....	\$9,972.88
➤ Highway Fund	135-149.....	\$76,998.02
➤ Water/Sewer Fund	36-38.....	\$410.54

5-Ayes, 0-Noes

Personnel:

Town Clerk Arrah Richards-McCarty

1. Uploaded the NYS and Federal Comply Anywhere Digital posters on our website. Eff. 12/2022, NYS is required to have a digital copy and hard copy in buildings.

Highway Superintendent Fred Schweiger

1. The backhoe has been down for six weeks. Repairs are expected to be completed on Friday now that the necessary parts have arrived.
2. Cross-culvert work on Ridge and Bruster Roads is being completed in preparation for next year's paving.
3. Salt supplies are being replenished for the season. American Rock Salt was awarded the contract, and all Tioga County towns are working to stockpile after last year's shortage.
4. Councilperson Mike Rice inquired about the water supply. Highway Superintendent Schweiger explained that he discontinued the bottled water delivery service and now purchases bottled water from Walmart because it is more cost-effective. He noted that Primo is cheaper per 5-gallon jug than Culligan, but Primo charges a \$15 delivery fee. To reduce rental costs, Mr. Schweiger purchased his own cooler. He added that he may need to switch to Culligan.
5. The mowing tractor experienced a major gearbox malfunction. Repairs have been completed, and the invoice totals around \$8,900.

New Business

1. Rescind Sewer Capital Charge for Properties Connected to the Town of Barton Sewer and Water Improvement Areas 1 and 2

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 10/14/2026
RESOLUTION NO 39-2026

RESCIND SEWER CAPITAL CHARGE FOR
PROPERTIES CONNECTED TO THE TOWN OF
BARTON SEWER AND WATER IMPROVEMENT
AREAS 1 AND 2

WHEREAS, the Town of Barton previously financed the Town of Barton Sewer and Water Improvement Areas 1 and 2 through a capital loan from Environmental Facilities Corporation; and

WHEREAS, the Town has now received confirmation that the loan matured on August 2, 2026, and has been paid in full; and

WHEREAS, it is no longer necessary to collect capital charges from property owners for this specific project; and

NOW THEREFORE upon a motion by Councilperson Andy Plaisted, seconded by Councilperson Dave Shipman and carried; therefore, be it

RESOLVED, that on this day, October 14, 2026, the Town Board of the Town of Barton, County of Tioga, State of New York hereby directs the appropriate town officials including the Town Clerk/Water-Sewer Clerk, Town Highway Superintendent/Water-Sewer Administrator, and Town Supervisor to take all necessary steps to formally rescind the Sewer Capital Charge of \$58,400.00 from the sewer bills of properties connected to the sewer and water improvement areas 1 and 2.

Roll Call Vote:

Mike Rice	Aye
Andy Plaisted	Aye
Donald Foster	Aye
Jeffrey Coleman	Aye
Dave Shipman	Aye

2. Separation of Combined Water and Sewer Repair Reserve Fund into Two Separate Accounts and Set Maximum Monetary Limit for Each Fund

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 10/14/2026

RESOLUTION NO 40-2026

SEPARATION OF COMBINED WATER AND
SEWER REPAIR RESERVE FUND INTO TWO (2)
SEPARATE ACCOUNTS AND SET MAXIMUM
MONETARY LIMIT FOR EACH FUND

WHEREAS, Resolution 15-2026 dated March 9, 2026, established a Combined Water and Sewer Repair Reserve Fund to finance equipment repair or replacement for water and sewer infrastructure in Water and Sewer Improvement Areas 1 and 2; and

WHEREAS, Resolution 19-2026 dated May 11, 2026, set the maximum monetary limit for said Combined Repair Reserve Fund; and

WHEREAS, the Town Board and the Town Bookkeeper have determined that it is in the Town's best interest to separate the Combined Water and Sewer Repair Reserve Fund into two distinct reserve funds; and

WHEREAS, the Town Board also wishes to establish new maximum monetary limits for each of the separate reserve funds; and

NOW THEREFORE upon a motion by Councilperson Mike Rice, seconded by Councilperson Andy Plaisted and carried; therefore, be it

RESOLVED, that on this day, October 14, 2026, the Town Board of the Town of Barton, County of Tioga, State of New York, hereby separates the previously established Combined Water and Sewer Repair Reserve Fund into two reserve funds to be known as the "Water Repair Reserve Fund" and the "Sewer Repair Reserve Fund"; and be it

FURTHER RESOLVED, that all rules, procedures, and requirements previously applicable to the Combined Water and Sewer Repair Reserve Fund shall apply equally to the Water Repair Reserve Fund and the Sewer Repair Reserve Fund; and be it

FURTHER RESOLVED, that the Water Repair Reserve Fund shall be established as a parent reserve fund under the (F) Water Fund; and be it

FURTHER RESOLVED, that the Sewer Repair Reserve Fund shall be established as a parent reserve fund under the (G) Sewer Fund; and be it

FURTHER RESOLVED, that the maximum monetary limit for the Water Repair Reserve Fund is hereby set at \$50,000.00; and be it

FURTHER RESOLVED, that the maximum monetary limit for the Sewer Repair Reserve Fund is hereby set at \$50,000.00; and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Roll Call Vote:

Mike Rice	Aye
Andy Plaisted	Aye
Donald Foster	Aye
Jeffrey Coleman	Aye
Dave Shipman	Aye

3. Establishment of Water Repair Reserve Fund Charge with Associated Budget Modifications

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 10/14/2026

RESOLUTION NO 41-2026

ESTABLISHMENT OF WATER REPAIR RESERVE
FUND CHARGE WITH ASSOCIATED BUDGET
MODIFICATIONS

WHEREAS, the Town of Barton was issued a bond in 2006 for sewer infrastructure improvements; and

WHEREAS, the quarterly Sewer Capital Charge of \$46.69 per unit per quarter was established to repay said bond; and

WHEREAS, the bond has now been fully repaid, eliminating the need for continued collection of the Sewer Capital Charge; and

WHEREAS, the Town Board has recently established a Water Repair Reserve Fund for future repair and replacement needs within the Town's water infrastructure; and

WHEREAS, the Town Board wishes to establish a quarterly charge dedicated to funding the Water Repair Reserve Fund; and

WHEREAS, it is necessary to modify the Town budget to properly account for the collection and transfer of said funds, including the establishment of new revenue and expense codes;

NOW, THEREFORE, upon a motion by Councilperson Andy Plaisted, seconded by Councilperson Dave Shipman and carried, be it

RESOLVED, that the Town Board hereby establishes a quarterly Water Repair Reserve Charge of \$20.00 per unit, to be collected from all units served by the Town's water system; and be it

FURTHER RESOLVED, that the Town Board hereby modifies the 2026 budget by establishing and funding the following new accounts:

- F2142 – Unmetered Water Sales (Revenue): +\$6,330
- F9950.9 – Xfer to Repair Reserve (Expense): +\$6,330

and be it

FURTHER RESOLVED, that the \$20.00 per unit per quarter Water Repair Reserve Charge shall be recorded under Revenue Code F2142; and be it

FURTHER RESOLVED, that this resolution shall take effect immediately.

Roll Call Vote:

Mike Rice	Aye
Andy Plaisted	Aye
Donald Foster	Aye
Jeffrey Coleman	Aye
Dave Shipman	Aye

4. Review Tentative Budget

There needs to be some budget changes since the last meeting. The changes are as follows:

Motion to increase Account Code A2401 – Interest and Earnings from \$7,000 to \$7,500 made by Councilperson Mike Rice, seconded by Councilperson Jeff Coleman. All in favor. The adoption of this matter has been duly carried.

Motion to increase Account Code A9040.8 – Worker's Compensation from \$4,000 to \$4,530 made by Councilperson Andy Plaisted, seconded by Councilperson Mike Rice. All in favor. The adoption of this matter has been duly carried.

Motion to increase Account Code DA9040.8 – Worker's Compensation from \$9,000 to \$10,000 made by Councilperson Jeff Coleman, seconded by Councilperson Andy Plaisted. All in favor. The adoption of this matter has been duly carried.

Motion to decrease Account Code DA9060.8 – Health and Medical Insurance from \$35,000 to \$34,000 made by Councilperson Andy Plaisted, seconded by Councilperson Dave Shipman. All in favor. The adoption of this matter has been duly carried.

Motion to increase Account Code DB9040.8 – Worker's Compensation from \$18,000 to \$19,000 made by Councilperson Mike Rice, seconded by Councilperson Andy Plaisted. All in favor. The adoption of this matter has been duly carried.

Motion to decrease Account Code F2140 – Metered Water Sales from \$91,810 to \$70,230 made by Councilperson Andy Plaisted, seconded by Councilperson Mike Rice. All in favor. The adoption of this matter has been duly carried.

Motion to increase General Fund – Townwide Unexpended Fund Balance from \$48,880 to \$48,910 made by Councilperson Andy Plaisted, seconded by Councilperson Jeff Coleman. All in favor. The adoption of this matter has been duly carried.

Motion to increase Highway Fund – Part Town Unexpended Fund Balance from \$29,900 to \$30,900 made by Councilperson Mike Rice, seconded by Councilperson Dave Shipman. All in favor. The adoption of this matter has been duly carried.

Motion to increase Water Fund Unexpended Fund Balance from \$0 to \$21,580 made by Councilperson Andy Plaisted, seconded by Councilperson Jeff Coleman. All in favor. The adoption of this matter has been duly carried.

Town Clerk Richards-McCarty stated that she had two outstanding requests from the previous meeting: increasing the across-the-board salary adjustment to 4% instead of the budgeted 3.67%, and decreasing the Tax Collection wage (A1330.1 – Temporary Tax Clerk) by \$600. She proposed distributing that \$600 savings by allocating an additional \$200 to the Town Clerk salary, an additional \$200 to the Deputy Town Clerk salary, and returning the remaining \$200 to the Town.

She explained that since hiring Rebekah Peck, the temporary clerk's hours have been significantly reduced—from 150 hours prior to her becoming Tax Collector down to 56 hours—making the wage reduction reasonable. Supervisor Foster will abstain from voting on the matter, as he prepared the budget. He acknowledged her reasoning but reiterated that, increasing individual percentages places a substantial burden on departmental budgets, and others would expect similar adjustments. Councilperson Mike Rice noted that he receives a 3.2% increase at his job, and Councilperson Andy Plaisted is anticipating 3%. He also expressed concern that Mr. Schweiger's staff would not be receiving comparable increases. Town Clerk Richards-McCarty emphasized that a 4% increase is not a significant impact, especially considering the Town's relatively low-salary levels, and noted that the highway department did not budget salary changes by percentage because their wages remained within the approved amount. She further stated that increasing salaries is an important step toward aligning the Town of Barton with neighboring towns, many of which are considering 4–5% raises. Councilperson Dave Shipman recommended leaving the matter as-is. No motion was made, so the discussion is closed for now.

5. Adopt Preliminary Budget for 2027

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 10/14/2026

RESOLUTION NO 42-2026

ADOPT PRELIMINARY BUDGET FOR 2027

WHEREAS, the Town Board of the Town of Barton has completed its review of the tentative budget as modified by the Town Board for Fiscal Year 2027; and

WHEREAS, a preliminary budget must be adopted in the form prescribed by the State Comptroller; and

NOW THEREFORE upon a motion by Councilperson Andy Plaisted, seconded by Councilperson Dave Shipman and carried; therefore, be it

RESOLVED, that on this day, October 14, 2026, the Town Board of the Town of Barton approves the adoption of the Preliminary Budget for Fiscal Year 2027; and be it

FURTHER RESOLVED, that all budget changes directed by the Town of Barton Town Board shall be included in the 2027 Preliminary Budget.

Roll Call Vote:

Mike Rice	Aye
Andy Plaisted	Aye
Donald Foster	Aye
Jeffrey Coleman	Aye
Dave Shipman	Aye

6. Schedule Public Hearing on Preliminary Budget

Motion to schedule public hearing on Preliminary Budget on November 2, 2026, at 6:00pm made by Councilperson Mike Rice, seconded by Councilperson Dave Shipman. All in favor.

7. Schedule Public Hearing on Local Law #1-2026 – Override the Tax Levy Limit Established in General Municipal Law §3-c

CERTIFIED COPY OF RESOLUTION ADOPTED BY THE BARTON TOWN BOARD

ADOPTED 10/14/2026

RESOLUTION NO 43-2026

SCHEDULE PUBLIC HEARING ON LOCAL LAW
NO. 1 OF 2026 – OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW 3-C

WHEREAS, the Town of Barton wishes to enact a local law to allow the Town of Barton to override the tax levy limit established in General Municipal Law § 3-c for the year commencing January 1, 2027; and

NOW THEREFORE upon a motion by Councilperson Jeff Coleman, seconded by Councilperson Dave Shipman and carried; therefore, be it

RESOLVED, that the Town of Barton Town Board, County of Tioga, State of New York hereby schedules a public hearing on November 2, 2026, at 6:05 PM for the proposed Local Law No. 1 of 2026 to override the tax levy limit established in General Municipal Law §3-c as set forth herein:

LOCAL LAW NO. 1 OF 2026

**A LOCAL LAW OF THE TOWN OF BARTON, NEW YORK TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-c.**

Be it enacted by the Town Board of the Town of Barton as follows:

Section 1. Legislative Intent.

It is the intent of this local law to allow the Town of Barton to adopt a budget for the fiscal year commencing January 1, 2027 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 governing 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 Town Board of the Town of Barton, State of New York, County of Tioga is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2027 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 judgment 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 7. Effective Date.

This local law shall take effect immediately upon adoption, publication and filing with the Secretary of State.

Old Business

None.

Motion to adjourn meeting at 7:30 PM made by Councilperson Dave Shipman, seconded by Councilperson Andy Plaisted. All in favor.

Respectfully submitted,

Arrah Richards-McCarty

Town of Barton Town Clerk