

# **Town of Greenville**

PUBLIC HEARING RE: LL 1 OF 2023

TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS/AMBULANCE WORKERS

**February 28<sup>th</sup>, 2023 6:00pm**

A public hearing was held by the Town Board of the Town of Greenville on February 28<sup>th</sup>, 2023 at 6:00pm at Pioneer Hall to regarding Local Law Introductory 1 of 2023 Real Property Tax Exemption for Volunteer Firefighters and Ambulance Workers.

All members of the Board were present, as well as, Cliff Powell Sr to represent Greenville Fire and Greenville Rescue Squad and 5 other guests.

***This Public Hearing was advertised in the Town's office newspaper, The Catskill Daily Mail, on February 18<sup>th</sup>, 2023.***

Supervisor Macko opened the public hearing with the Pledge of Allegiance at 6:00pm.

Supervisor Macko informed the hearing that the legislation being proposed is identical to what the County has adopted. Adopting the same legislation as the County will help streamline for RPTS. After meeting with Superintendent of GCS the hearing was informed that they wouldn't be adopting their version of this legislation until 2024 September bills.

Supervisor Macko opened the floor for remarks from the public.

## **Questions/Comments/Concerns from the public:**

Cliff Powell Sr. mentioned that as the legislation is written at this time approximately 10-15 members in Greenville Fire District/Greenville Rescue Squad would qualify.

***Supervisor Macko called upon the hearing for any further questions/comments/concerns three times. No further remarks were made.***

*Councilman Bear motioned, seconded by Councilman Bensen to close the public hearing at 6:03pm.  
Carried 5 ayes*

*Councilman Bear motioned to approve of the following law:*

## **TOWN OF GREENVILLE LOCAL LAW # 1 OF 2023**

### **A LOCAL LAW OF THE TOWN OF GREENVILLE 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 Greenville as follows: SECTION I. Legislative intent and purpose.

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a. The Town of Greenville finds and determines that attracting and retaining quality volunteer firefighters and emergency medical personnel is one of the most critical problems facing a number of communities in the Town of Greenville and that maintaining effective emergency protection depends on the ability to train and retain volunteers.

b. The Town Board finds and determines that it is essential for the town to provide real property tax exemptions as an incentive to attract new volunteers and help combat a persistent and alarming decline in the number of volunteers serving as active responders to fire and medical emergencies and unless recruits are found to replace retiring volunteers and seasoned members are encouraged to continue their volunteer service, the health and safety of citizens served by the volunteer firefighter and emergency medical personnel corps may be jeopardized.

. The Town Board further finds and determines that real property tax exemptions are an appropriate way to recognize the personal sacrifices and dedication of these community-spirited men and women who unselfishly give their time and risk their safety to protect their neighbors without compensation.

c. The purpose of this Local Law is to adopt the real property tax exemptions provided for volunteer firefighters and emergency medical personnel in accordance with Section 466-a of the Real Property Tax Law to read as follows.

## Section 1. Real Property Tax Exemption.

Real property owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service or such enrolled member and spouse residing in the Town of Greenville shall be exempt from taxation to the extent of 10 percent of the assessed value of such property for county and town purposes, exclusive of special assessments.

Section 2. Qualifications. Such exemption shall only be granted to an enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance services if:

- (a) the applicant resides in the Town of Greenville and is a member of an incorporated volunteer fire company or fire department or incorporated voluntary ambulance service which provides service within the town or school district.
- (b) the real property which is the subject of such exemption is the primary residence of the applicant.
- (c) the real property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used

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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.

- (d) the applicant has obtained and displayed a certificate issued by the authority having jurisdiction for the incorporated volunteer fire company or fire department indicating that the applicant has been an enrolled member of such incorporated volunteer fire company or fire department for at least two years or the applicant has been certified by the authority having jurisdiction for the incorporated voluntary ambulance service as an enrolled member of such incorporated voluntary ambulance service for at least two years.

## Section 3. Continuation of eligibility requirements.

The applicant shall maintain continual eligibility for the exemption by being a continuously active member of the incorporated volunteer fire company, fire department, fire district, or incorporated voluntary ambulance service. An active member shall meet the requirements for active service as defined by each company, department or corporation. Annual attestation by such company, district or corporation is required to maintain this exemption.

## Section 4. Twenty-year active members.

Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than twenty years of active service, as defined in Section 3 hereof, 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 ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within the Town of Greenville.

## Section 5. Un-remarried Surviving Spouses of Volunteers killed in the line of duty.

An un-remarried spouse of a volunteer firefighters or volunteer ambulance workers killed in the line of duty may receive the real property tax exemption if:

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 an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service who was killed in the line of duty; and.

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2. Such deceased volunteer had been an enrolled member for at least five years; and.
3. Such deceased volunteer had been receiving the exemption prior to his or her death.

## Section 6. Un-remarried Surviving Spouses of Volunteers with at least Twenty Years of Service.

An un-remarried spouse of a volunteer firefighters or volunteer ambulance workers with twenty years of service may receive the real property tax exemption if:

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 an enrolled member of such incorporated volunteer fire company, fire department or incorporated volunteer ambulance service.
2. Such deceased volunteer had been an enrolled member for at least twenty years.
3. Such deceased volunteer and un-remarried spouse had been receiving the exemption of such property prior to the death of such volunteer.

## Section 7. Application process.

1. Applications for such exemption shall be filed with the assessor of the town on or before the taxable status date on a form as prescribed by the New York State Commissioner for the Office of Real Property Tax Services.
2. The assessor of the town shall have the duty and responsibility of procuring and filing a copy of such certification prior to granting the exemption provided for by this Local Law.

## Section 8. No diminution of current 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 law on the effective date of this Local Law shall suffer any diminution of such benefit because of the provisions of this Local Law.

## SECTION II. Effective Date.

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

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State.

Councilman Bear's motion was seconded unanimously.

**VOTING:**

	<i>AYE</i>	<i>NAY</i>	<i>ABSENT/OTHER</i>
<i>SUPERVISOR MACKO</i>	X		
<i>COUNCILMAN BEAR</i>	X		
<i>COUNCILMAN BENSEN</i>	X		
<i>COUNCILMAN VON ATZINGEN</i>	X		
<i>COUNCILMAN RICHARDS</i>			
<i>CARRIED.</i>			

Cliff Powell Sr. thanked the Board for their support of the Fire District and Rescue Squad. The Board reciprocated their appreciation to all the first responders for their efforts and continued years of service.

**Other Business:**

**Maple Desk** – Supervisor Macko informed the Board of the recent updates/renovations to the Court room downstairs of Pioneer Hall. The large maple desk that the judges used as their bench is being retired. Justice Lou Kraker expressed interest in displaying the desk somewhere to honor the history of the many judges who sat behind it. Supervisor Macko requested the permission of the Board to surplus the desk for Justice Kraker to take and display it. *Councilman Bensen motioned, seconded by Councilman Richards to surplus the maple desk from the court room. Carried 5 ayes*

There being no further new business this meeting was adjourned at 6:05pm.

\_\_\_\_\_  
Jessica K. Lewis, Town Clerk-Collector

\_\_\_\_\_ Supervisor Macko

\_\_\_\_\_ Councilman Bensen

\_\_\_\_\_ Councilman Bear

\_\_\_\_\_ Councilman Richards

\_\_\_\_\_ Councilman Von Atzingen

# **Town of Greenville**

**PUBLIC HEARING RE: PROPERTY TAX EXEMPTION FOR VOLUNTEER  
FIREFIGHTERS/AMBULANCE WORKERS**

**February 28<sup>th</sup>, 2023 6:00pm**