

TOWN OF NEW BALTIMORE

COUNTY OF GREENE

PUBLIC HEARING REGARDING LOCAL LAW 1 OF 2019

A LOCAL LAW TO ESTABLISH A NEW SCHEUDLE OF REAL PROPERTY TAX

EXEMPTIONS FOR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OVER

AND PERSONS WITH DISABILITIES AND LIMITED INCOMES

TOWN HALL, 3809 COUNTY ROUTE 51, HANNACROIX, NY 12087

JANUARY 28, 2019 - Page 1

Draft 2/5/19

Adopted 2/11/19

OPENING OF PUBLIC HEARING

Supervisor Ruso opened the meeting at 6:46 PM. Also attending Deputy Supervisor Dellisanti, Councilmembers Briody, Downes, Irving, and VanEtten, County Legislator Linger, Highway Superintendent VanWormer, Deputy Town Clerk Loux, and 4 members of the public who signed the attendance book. Absent: Town Clerk Finke and Tax Collector Jordan

Supervisor Ruso: ‘The Town Board of the Town of New Baltimore will hold a Public Hearing on January 28, 2019 at 6:45 PM at the Town Hall, 3809 County Route 51, Hannacroix, New York to hear those members of the public who wish to be heard regarding Proposed Local Law 1 of 2019, a Local Law to establish an new schedule of real property tax exemptions for persons sixty-five (65) years of age or over and persons with disabilities and limited incomes.’

Motion by Councilwoman VanEtten, seconded by Councilmember Downes to open the Public Hearing.
AYES: Ruso, Briody, Downes, Irving, VanEtten
NAYS:
ABSTAIN:
ABSENT:
Motion Carried

Supervisor Ruso read:

‘PROPOSED LOCAL LAW #1 OF 2019

**A LOCAL LAW TO ESTABLISH A NEW SCHEDULE OF REAL PROPERTY TAX
EXEMPTIONS FOR PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OVER AND
PESONS WITH DISABILITIES AND LIMITED INCOMES**

BE IT ENACTED by the Town Board of the Town of New Baltimore, as follows:

SECTION 1. This Local Law is adopted pursuant to the authority of Real Property Tax §459© and §467. All definitions, terms and conditions of such statute shall apply to this Local Law and are incorporated herein.

SECTION 2. Local Law #1 of 2018 is HEREBY REPEALED.

SECTION 3. The Town Board of the Town of New Baltimore does hereby establish the following sliding scale of property tax exemptions for real property owned by persons sixty-five (65) years of age or over and for real property owned by a person with a disability whose income is limited by such disability, and used as the legal residence of such person, based on the income limits set forth below:

<u>Maximum Income Limit</u>	<u>Property Tax Exemption</u>
\$28,500.00	50%
\$28,500.01-\$29,499.99	45%
\$29,500.00-\$30,499.99	40%
\$30,500.00-\$31,499.99	35%
\$31,500.00-\$32,399.99	30%
\$32,400.00-\$33,299.99	25%
\$33,300.00-\$34,199.99	20%
\$34,200.00-\$35,099.99	15%
\$35,100.00-\$35,999.99	10%
\$36,000.00-\$36,899.99	5%

SECTION 4. Any person who qualifies for a property tax exemption as a person with a disability shall not be eligible for a property tax exemption as a person who is sixty-five (65) years of age or over.

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SECTION 5. The maximum income limit set forth in Section 3 above shall be offset by medical and prescription drug expenses actually paid which are not reimbursed or paid for by insurance.

SECTION 6. This Local Law shall take effect immediately upon its filing in the Office of the Secretary of State.'

Supervisor Ruso: So I've read this whole thing; now is the time for Public Comment and dialogue. So any of those who would like to speak, please say so.

Eleanor Alfeld: The only thing I question is this. None of the exemption amounts or dollar amounts is there is a section here, I believe it's Section 5, that says that you can submit proof of nonreimbursed medical expenses. If you have the process where you are automatically filed with Taxation and Finance for your income and they are the ones that notify the Assessor's Office what you're entitled to, how do you go about filing for the medical expenses you've incurred? I don't know if you understand how this process works.

Councilmember VanEtten: I would think you would have to bring in receipts because it says that medical expenses that's not paid for by insurance.

Ellie Alfeld: If you're getting the approval from Taxation and Finance, can the Assessor override what they...

Supervisor Ruso: Yes, they can.

Ellie Alfeld: Can they, okay?

Supervisor Ruso: The Assessor can make a final determination, that I know.

Ellie Alfeld: Okay. I want to make sure everybody gets what they're entitled.

Supervisor Ruso: Any other thoughts or comments?

Councilmember VanEtten: Right. I mean I can make a phone call and see if I can come up with (unable to understand).

Councilmember Downes: So, you've handed in your receipts to Tax and Finance and Tax and Finance has said they're good?

Ellie Alfeld: Now what happens is it's a one-time process. If you give the Assessor's Office the availability of getting approval from Taxation and Finance by virtue of your income tax that you've filed with them, they in turn give the Assessor's Office the go-ahead to grant you whatever the exemption. They never tell the Assessor what you're earnings are, they just say whether you're eligible (unable to understand) and my concern is 'well, okay, I had medical bills this past year and if I present them to the Assessor's Office can they deduct that from which...'

Councilmember Downes: So what you're trying to determine is because this year your income was so much lower than maybe it was last year is where you're going with this.

Ellie Alfeld: Right.

Councilmember Downes: But not just the fact that Tax and Finance have already given you an exemption.

Ellie Alfeld: Right because of the fact as I said it's not that it's extremely lower, but I...

Supervisor Ruso: It might move you into a different category.

Councilmember Downes: It might move you into a different bracket.

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Ellie Alfeld: Exactly and not only me, but there are other people out there. Even your copays are nonreimbursable medical expenses you know so if you had a great deal of those, say your mother-in-law had to go to the hospital, this that and the other thing, somebody should be allowed to have that submitted to the Assessor's Office thereby reducing whatever she's entitled to.

Supervisor Ruso: Any other thoughts or comments? Ellie?

Ellie Alfeld: Yes, sir.

Supervisor Ruso: What I'll do is I'll leave a note for the Assessor's Office to let you know the differences. I don't want to steal their thunder. They're technically skilled anyhow. I have a fairly good idea, but I don't get in the deep weeds with them on that, income verification.

Councilmember VanEtten: Might want to ask Kathy.

Ellie Alfeld: Well, he was out on medical leave on that Tuesday, so I couldn't ask him.

Deputy Town Clerk Loux: He'll be here tomorrow.

Supervisor Ruso: Any other comments from the Board about the Motion made. Okay, well, thank you everybody. This ends our special Meeting for Local Law 1.

On a Motion by Councilmember Downes seconded by Supervisor Ruso, the Public Hearing adjourned at 6:55 PM.

AYES: Ruso, Briody, Downes, Irving, VanEtten

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Respectfully Submitted,

Barbara M. Finke RMC
Town Clerk