



LAGRANGE FIRE DISTRICT

504 Freedom Plains Rd • Poughkeepsie, NY 12603



MINUTES
BOARD OF FIRE COMMISSIONERS
Public Hearing – 2023 VFF Partial Tax Exemption
May 23rd, 2023 – 6:00 pm – Station 2

ATTENDEES:	Chairman Marc Komorsky Commissioner Anthony Pignataro Commissioner Barry Ward Deputy Chief Anthony Champion Secretary Bria Le	Commissioner George Burns <i>(late)</i> Commissioner Rich Sassi Chief Tim O'Connor EMS Administrator Michael Benenati
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At 6:02 pm, Chairman Komorsky called the Board of Fire Commissioners' Public Hearing on the 2023 Volunteer Firefighter Partial Tax Exemption to order for Tuesday, May 23rd, 2023.

- **Roll Call:**

Secretary Bria Le - Here
Commissioner Barry Ward – Here
Commissioner Anthony Pignataro – Here
Commissioner Richard Sassi – Here
Commissioner Marc Komorsky – Present
Commissioner George Burns – Absent
Deputy Chief Anthony Champion – Present
Chief Tim O'Connor - Here
EMS Administrator Michael Benenati – Present

- **Pledge of Allegiance:**

Komorsky requested everyone to stand then led the Pledge of Allegiance.

- **Public Hearing:**

Komorsky read a notice on the hearing that noted when and where notice of the hearing was posted (affidavit attached). Secretary Bria Le read the proposed resolution (attached).

At 6:08 pm, Commissioner George Burns joined the Public Hearing.

PUBLIC COMMENTS:

At 6:11 pm, Komorsky opened the hearing for public comments and reviewed the procedure for an individual to make comments.

No one came forward to make comments.

Komorsky asked if anyone had any questions. Commissioner Ward said he would like to get clarification from legal counsel about whether the two year requirement was an "or" requirement for the twenty years of service.

At 6:13 pm, Komorsky stated that the public comment period was officially concluded and asked if the Commissioners had any further questions. Commissioner Pignataro asked if the exemption would be

BoFC Public Hearing on VFF Partial Tax Exemption Resolution held on 5/23/23.

Please note that this meeting was conducted in person at 504 Freedom Plains Road in Poughkeepsie, NY AND open for public viewing and/or listening via the video conferencing platform MS Teams.



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retroactive for the current year and Komorsky said no. Le said the exemption would have to be filed with the town's tax assessor before the taxable status date so the exemption would be for next year.

CLOSING:

At 6:14 pm, upon a MOTION made by Pignataro and SECONDED by Commissioner Sassi, the Board RESOLVED close the hearing. Pignataro – Aye, Sassi – Aye, Ward – Aye, Komorsky – Aye.

Motion Carried.

Komorsky stated that the public hearing regarding the 2023 Volunteer Firefighter Partial Tax Exemption resolution.

Respectfully submitted,

Bria Le – District Secretary

Approved by the Board of Fire Commissioners on 6/13/23

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LAGRANGE FIRE DISTRICT RESOLUTION AUTHORIZING PARTIAL REAL PROPERTY TAX EXEMPTION FOR VOLUNTEER FIRE FIGHTERS/AMBULANCE SERVICE WORKERS

WHEREAS, pursuant to Chapter 670 of the Laws of 2022 effective December 9, 2022, New York State Real Property Tax Law was amended, by the addition of §466-a, authorizing local governments, including fire districts, to enact by resolution, a ten (10%) percent partial real property tax exemption of the assessed value of the primary residence owned by a qualified enrolled members of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service that serves the city, town or village where the Fire District is located;

WHEREAS, the intent of this Resolution is to permit the partial real property tax exemption for qualified enrolled volunteer members, as defined herein, for real property taxes imposed by the LaGrange Fire District (the "Fire District" or "LFD");

WHEREAS, on May 23rd, 2023, after providing the statutorily required notice, a Public Hearing was conducted by the Fire District to solicit input and to hear all persons interested in the partial real property tax exemption of the assessed value of the primary residence owned by a qualified enrolled volunteer member, as described herein, of LFD;

WHEREAS, for purposes of this Resolution the Authority Having Jurisdiction shall mean the LaGrange Board of Fire Commissioners;

WHEREAS, the LaGrange Board of Fire Commissioners shall create an application form for such exemption and a certification procedure, and it shall be filed with the Assessor for the Town of LaGrange on or before the taxable status date of each year or as otherwise required or as prescribed by New York State;

WHEREAS, 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 Resolution shall suffer any diminution of such benefit because of the provisions of this Resolution; and

NOW THEREFORE AND BE IT RESOLVED, if the primary residential real property located in the Fire District that is owned by an enrolled and active volunteer member of an incorporated fire company within the Fire District, providing services to the Town of LaGrange, shall be exempt from taxation and assessments levied by the Fire District to the extent of ten percent (10%) of the assessed value of such property, exclusive of special assessments, and subject to the requirements set forth herein:

ELIGIBILITY

BE IT FURTHER RESOLVED, that such exemption shall not be granted unless:



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- A. The applicant's primary residence is in the Town of LaGrange and served by the LaGrange Fire District and its incorporated fire company, of which the applicant is a qualified and active enrolled member;
- B. Applicant's primary residence is used exclusively for residential purposes, provided, however, that if any portion of such property is not used exclusively for the applicant's primary residence but is used for other purposes, such portion shall be subject to regular taxation and ineligible for the exemption set forth herein, with the remaining portion of the residence which is used exclusively for residential purposes being eligible for the exemption provided by this Resolution;
- C. The applicant has been certified by the LaGrange Board of Fire Commissioners as an active enrolled volunteer member who has served such volunteer fire company for at least two (2) years; or any enrolled member of the volunteer fire company who accrues more than twenty (20) years of active service, and is so certified by the LaGrange Board of Fire Commissioners, shall be granted the exemption authorized by this Resolution; and
- D. The applicant must submit such certification together with the tax exemption application to the local assessor.

CONTINUATION OF BENEFIT TO UN-REMARIED SPOUSE

BE IT FURTHER RESOLVED, that the property tax exemption authorized by this Resolution and granted to an enrolled volunteer member of an incorporated fire company shall, upon application, be continued to such deceased enrolled member's un-remarried spouse provide the eligibility requirements set forth above, as applicable, are met and such member:

- A. Volunteer Death in the Line-of-Duty
 - i. If such enrolled volunteer member is killed in the line-of-duty for the LaGrange Fire District and the deceased volunteer has been enrolled as a volunteer member for at least five (5) years with the Fire District;
 - ii. Such un-remarried spouse is certified by the LaGrange Board of Fire Commissioners as an un-remarried spouse of such enrolled volunteer member who was killed in the line-of-duty; and
 - iii. The deceased volunteer and his/her un-remarried spouse have been receiving the exemption prior to his or her line-of-duty death.
- B. Volunteer Death Not in the Line-of-Duty
 - i. If such enrolled volunteer member is deceased in a non line-of-duty situation and was a volunteer for the Fire District for at least twenty (20) years;
 - ii. The deceased volunteer and his/her un-remarried spouse have been receiving the exemption under this Resolution prior to the death of the volunteer; and



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- iii. Such un-remarried spouse is certified by the LaGrange Board of Fire Commissioners as an un-remarried spouse of such enrolled volunteer member who has deceased.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately

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