

COMMITTEE ON LEGISLATION
MINUTES: October 27, 2008

LEGISLATION

MEMBERS: Chair: Burton; Legislators: Jenkins, Myers, Maisano, Nonna, Abinanti, Bronz, Harckham

IN ATTENDANCE: **CE:** B. Randolph, A. Neuman; **CA:** L. Trentacoste, T. Gardner, L. Cipollo; **BOL:** S. Bass, R. Pezzullo; K. Delgado, M. Amodio; **GUESTS:** J. Soloman, K. Hoffarth

With a quorum present, the Committee on Legislation was called to order at 1:39 p.m.

Boards & Commissions

(Jenkins, Bronz) Move the appointment of Freda Macon to the Women's Advisory Board for a term to expire December 31, 2009. Approved 5-0.

Local law to provide property tax exemption to volunteer firefighters

The Committee reviewed the draft local law to provide a tax exemption of up to a 10% of the assessed property value to volunteer emergency workers. Legislator Nonna discussed the details and merits of the drafted legislation. He stated that many of Westchester's towns and villages rely on volunteers to provide emergency and fire services. Nonna said it would be a tremendous tax burden to those municipalities if they had to pay individuals to take on those responsibilities. The exemption is only available in an area that has fewer than five professional workers.

Ken Hoffarth, Fire Commissioner Valhalla Fire District and President of the New York State Association of Fire Fighters and John Soloman, Commissioner North Castle South Fire District spoke to support the pending measure. They are hopeful this benefit will help recruit needed additional members. Legislator Burton asked Mr. Hoffarth to provide a list of other New York counties which provide this type of benefit. There was a discussion about municipalities working together with volunteer firefighters about how to provide incentives and improve services to residents.

The committee also talked about how many exemptions volunteers could receive. They can apply where they reside, to all the municipalities which have opted into providing the benefit.

Committee Members were unsure if the person can choose between the \$200 New York State tax credit and this tax exemption, or could they receive both benefits. Mr. Burton asked staff to report back to the committee with a clarification.

The committee had questions about who would make up the difference left from the tax exemption. Is that tax picked up by the communities who have people who receive the benefit or is it spread across the entire county? Mr. Burton asked staff to find out the answer for committee members.

Mr. Burton asked the Law Department to provide the committee with legal opinions about this type of legislation from the New York State Office of Real Property Tax Services (ORPS).

There was a discussion to add a ten year sunset provision to this legislation. The Law Department will ask ORPS their opinion about including such a provision.

Mr. Burton asked Ms. Trentacoste to add language to the Committee Report about working with the Westchester County Fire Advisory Board to recommend cost savings measures for fire departments.

Chairman Burton wants to resolve these issues and meet again by the end of November.

Mr. Burton disclosed he is a member of a volunteer fire company.

(Nonna, Myers) Meeting adjourned at 2:58 p.m by a vote of 7-0.

AUDIO RECORDING ON FILE FOR REVIEW UPON REQUEST