

TOWN BOARD MEETING

August 4, 2014
6:00 P.M.

PRESENT: Councilpersons: Kevin Armstrong, Luis Rodriguez-Betancourt, Leonard Govern, Patty Wood, Supervisor Bruce Dolph, Hwy. Supt. Walt Geidel, Town Clerk Ronda Williams and Attorney Sean Becker of Cowen Law Firm

OTHERS PRESENT:
Stephen Dutcher

RESOLUTION #77 **APPROVAL OF MINUTES**

A motion was made by Armstrong, seconded by Rodriguez-Betancourt approving the minutes of July, 14, 2014 as presented. All in favor, motion carried.

FLOOR TIME:

None requested.

SUPERINTENDENT OF HWY. REPORT:

Reported on Beers Brook and Third Brook proposed projects.

Reported that the plow truck is still not completed. The bid specifications stated within 60 day but it is currently 120 days.

Reported that a new “No Dumping” sign has been stolen from the South River Road area.

Reported that do to the time taken to review the bids; the low bidder for the excavator bid has since been sold. It is the recommendation of the Highway Committee to award the bid to Contractor Sales for a Link Belt Excavator for the amount of \$89,900. This is \$456.00 more than the next low bidder but is a year newer and will better serve the needs of the Town.

RESOLUTION #78 **PURCHASE OF EXCAVATOR**

A motion was made by Councilman Armstrong, seconded by Govern to accept the excavator bid from Contractor Sales for a 2011 Link Belt Excavator in the amount of \$89,900.00. All in favor, motion carried.

TOWN CLERK’S REPORT:

Reported on my monthly financial report.

Reported that the boiler has been installed by C.E Kiff, Inc. After discussion about the annual maintenance that was normally done by Suburban, it was the consensus of the Board to contact C.E. Kiff to see if they were interested and compare the price.

Reported that a FEMA representative stopped by to introduce himself and informed the Town that he has now been assigned to our area.

Reported that due to a conflict with the appeals process in Local Law 1 of 2012, a local law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36, an amended law will be presented to the Board for consideration.

A Public Hearing will be set for September 8, 2014 for persons wishing to speak in favor or against the proposed amendment.

CODE ENFORCEMENT/DOG CONTROL:

Provided monthly reports to the Board.

Provided pictures of the current condition of the property on East River Road. He reported that the owner has been served and failed to show for his court date. Mr. Dutcher stated he is now working with Attorney Becker to peruse a local law allowing the Town to maintain properties on a case to case basis and allow the cost of the maintenance to be added to the property owners tax bill.

Reported that he received a letter from Mr. Materese concerning a quarry permit for property owned by John Robinson. He informed the Board that quarrying is a permit use by the Town of Walton but would require a DEC permit for mineral extraction of more than 1000 tons of mineral extraction per year. He stated that this information was supplied to Mr. Materese in a letter in which Mr. Dutcher received a copy back from Mr. Materese who wrote the word “wrong” across the letter.

SUPERVISOR’S REPORT:

Supervisor Dolph congratulated Mr. Dutcher on receiving a 100% on his Civil Service Code Enforcement test. He also informed the Board that Mr. Dutcher has received a certificate of recertification as Flood Plain Manager. He stated that this helps the Town and Village with requirements to help lower flood insurance.

RESOLUTION #79

CODE ENFORCEMENT OFFICER

A motion was made by Councilman Rodriguez-Betancourt, seconded by Wood to re-appoint Stephen Dutcher from provisional to permanent appointment as the Town of Walton Code Enforcement Officer. All in favor, motion carried.

Reported on his monthly financial reports.

Supervisor Dolph presented a resolution to participate in the flood buyout and relocation program as part of the NYC Watershed Flood Mitigation Program. Councilman Armstrong questioned do we have proof that Delaware Street will benefit from this program? Supervisor Dolph stated that the studies

have shown there would be benefits and it was necessary to do something. He stated we have 6 million of assess value on Main Street and part of the program is to relocate the business within the village or town so that we keep that assessment. Councilwoman Wood questioned if the purchased property would become “green” property. Supervisor Dolph indicated yes, that would be the case.

RESOLUION #80

RESOLUTION TO PARTICIPATE IN THE FLOOD BUYOUT AND RELOCATION PROGRAM AS PART OF THE NYC WATERSHED FLOOD MITIGATION PROGRAM

Whereas, in the fall of 2012, New York City watershed stakeholders came to agreement on a flood mitigation program for the protection of life, infrastructure, property and water quality; and

Whereas, under the Revised 2007 Filtration Avoidance Determination (FAD), New York City has committed the necessary funds to assist watershed residents in addressing flood mitigation efforts that reduce the risks of flooding while improving water quality protection; and

Whereas, within the 2007 Revised FAD, a volunteer flood buyout program and relocation program are part of the suite of program efforts under the NYC Watershed Flood Mitigation Program available to communities to participate in; and

Whereas, the programs require the formation of a Flood Commission or Flood Advisory Committee, the Village and Town of Walton have formed a Flood Commission; and

Whereas, Breakey Motors Inc, is a long standing car dealer and garage in the Village of Walton, New York, with its business located on two adjoining parcels identified as 273.7-6.9; whose southern boundary is on the West Branch of the Delaware River and 273.7-6-8 which is bounded by the West Branch to its south and by East Brook on its western boundary; has committed to exploring the opportunities associated with the Flood Buyout and Relocation Programs as a proposed Pilot participant; and

Whereas, a Pilot effort would serve to educate all stakeholders in the watershed as to what is needed to have successful programs; and

Whereas, the flood plains in and around the Village of Walton have undergone a number of studies since 2008; and

Whereas, the required Local Flood Analysis engineering analysis component of the West Branch of the Delaware River, inclusive of the tributary flows from West Brook, East Brook and Third Brook flowing through the Village of Walton, is nearing completion and the associated cost/benefit analysis is underway; and

Whereas, the opportunity to move this business and reclaim the floodplain will lead to reduced flood elevations on portions of Delaware Street and flood damage to nearby properties as identified in the Local Flood Analysis and enable the business to move to another property they currently own outside the floodway and floodplain retaining the economic benefits of the business for itself and the community; and

Whereas, a requirement to participate, in the aforementioned programs within, Designated Hamlet and Village areas, the City is allowed to use specific flood buyout funds as delineated in the Revised 2007 FAD to purchase improved properties, in these designated areas only with the permission of the affected Town or Village by resolution.

Now therefore be it resolved, the Town of Walton supports the Village of Walton’s resolution to participate in the volunteer NYC Watershed Flood Mitigation Buyout and Relocation

Programs for the sole purpose of a buyout and relocation of Breakey Motors, Inc., in the Village of Walton, New York.

Be it further resolved, that this resolution be sent to the New York City Department of Environmental Protection and copied to the New York State Department of Environmental Conservation, New York State Department of Health, New York State Department of State, US EPA Region 2, Catskill Watershed Corporation and the Coalition of Watershed Towns.

A motion was made by Councilman Govern, seconded by Rodriguez-Betancourt to participate in the Flood Buyout and Relocation Program. Yea – Armstrong, Govern, Rodriguez-Betancourt, Wood & Dolph, Nay – 0. Motion carried.

COMMITTEE REPORT:

Councilman Armstrong questioned if there was any new information on the Infirmary? Supervisor Dolph state he did not have any. Councilwoman Wood proposed writing to Congressman Gibson requesting help in soliciting the need in our area and attracting a potential buyer. Councilman Rodriguez-Betancourt stated he would contact UHS to see if there was an interest.

Councilwoman Wood stated she had heard that Rolling V is receiving large amounts of money for contracted services from the County. Supervisor Dolph stated transportation services follow a bidding process and Rolling V has been award some but not all. Councilwoman Wood questioned the number of welfare placements in the Town of Walton. Supervisor Dolph stated that the County looks for the most affordable housing and Walton has more available and affordable housing than other surrounding towns.

APPROVAL OF BILLS:

RESOLUTION #81

APPROVAL OF BILLS

A motion was made by Councilman Rodriguez-Betancourt, seconded by Wood approving the vouchers as presented for payment. All in favor, motion carried.

General Fund A	#145-158	\$17,572.41
General OV B	#13	\$ 16.74
General Hwy DA	#91-100	\$ 7556.87
OV Hwy DB	#23-26	\$21,380.18

EXECUTIVE SESSION:

RESOLUTION #82

EXECUTIVE SESSION

A motion was made by Councilman Armstrong, seconded by Wood to enter into executive session for a particular personal matter. All in favor, motion carried.

With no anticipated action to come from executive session and no further business before the Board, I was dismissed at 7:15 p.m.

Respectfully submitted,

Ronda Williams
Town Clerk