

## TOWN BOARD MEETING

February 8, 2016

6:00 P.M.

### PRESENT:

Councilpersons: Kevin Armstrong, Leonard Govern, Luis Rodriguez-Betancourt, Patty Wood, Supervisor Charles Gregory, Hwy. Supt., Walt Geidel, Attorney Carly Walas and Town Clerk Ronda Williams

### OTHERS PRESENT:

Ron Galley - The Walton Reporter, Steven Dutcher, Maureen Wacha, Jackie Fairchild, Shannon Fairchild, Gregory Dale, Edward Snow, Gale Sheridan, Mark Jacobs, Mike Sabansky, Robert Hutchinson, Jay O'Connor, Lara Casimano, Pam Graupman, Patrick Doyle, and Bruce Dolph

### **RESOLUTION #38**

### **APPROVAL OF MINUTES**

A motion was made by Councilman Armstrong, seconded by Govern approving the minutes of January 11, 2016 and January 27, 2016 as presented. All in favor, motion carried.

### FLOOR TIME:

Robert Hutchinson took the floor to provide the Board with an overall preview of the process of a revaluation. He stated that this time next year the new assessments will go into effect.

Mr. Hutchinson informed the Board that the last revaluation for the Town of Walton was done in 1971.

Councilman Rodriguez-Betancourt questioned how do the properties get valued? He was concerned that it was not based on the footprint of the home.

Mr. Hutchinson explained that this was done on market value which is based on the Real Property Tax law. Councilman Rodriguez-Betancourt stated he would like to know exactly when that law went into effect. Mr. Hutchinson stated he would research that and get back to him.

Supervisor Gregory questioned the procedure to value unique properties. Mr. Hutchinson state that they would go outside the area and look for good sales.

Supervisor Gregory raised the questioned "If someone is in the process of challenging an assessment, would the reval change that?" Mr. Hutchinson stated it would depend if you have received a court order and how far into that process you where.

Bruce Dolph questioned if it would it be in the Towns best interest to settle on the two properties currently in litigation? Mr. Hutchinson stated it would be better for everyone to settle those matters quickly. If the company has declined, he would work with an independent appraiser and the assessor to see if the current assessment is fair or not.

Bruce Dolph stated if the Town has hired you, why can't you do that now before it goes to court? Mr. Hutchinson stated they would talk with Joe Emminger about it, but felt it would be a smart decision.

Lora Casimano and Jackie Fairchild questioned how houses in poor condition would affect their home values? Mr. Hutchinson stated that maintenance does not necessarily increase assessed value, unlike additions or new construction. He stated that location however is a big factor.

#### SUPERINTENDENT OF HWY. REPORT:

Superintendent Geidel stated he is waiting to hear if the Town of Walton has won two bids he had placed on the Federal Surplus site. One is a 1985 pickup truck and the other a dump truck.

He questioned the Board once again if he could have permission to purchase two trucks that would replace the 550's. Councilman Armstrong stated he would like to wait and see what the 550's may bring on the auction website first. The Board was in agreement to purchase one now and wait on the other.

Superintendent Geidel informed the Board that it was time to go out to bid for stone and stated he plans to add guiderails to this request.

He informed the Board that speed limit signs have been posted on the designated roads.

Pam Graupman of Loomis Brook Road questioned if these signs have been placed on Loomis Brook Road? Superintendent Geidel stated they have not and informed her of the procedure that needs to be followed before the State DOT would assign a reduced speed limit to be posted.

Reported that we may see an increase in CHIPS funding once again this year.

#### TOWN CLERK'S REPORT:

Provided my financial report to the Board.

Reported that I am 70% collected with taxes.

Reported that we have received the Intermunicipal Agreement with the Town of Colchester and need approval to have Supervisor Gregory sign.

#### **RESOLUTION #39**

#### **INTERMUNICIPAL AGREEMENT WITH THE TOWN OF COLCHESTER**

A motion was made by Councilman Govern, seconded by Rodriguez-Betancourt granting Supervisor Gregory permission to sign the Intermunicipal Agreement between the Town of

Walton Highway Department and the Town of Colchester Highway Department. All in favor, motion carried. Informed the Board that a letter of acknowledgement was received from Assemblyman Crouch on the Resolution No. 105 of 2015 “Urging State Representatives to Ensure Funding Equality/Parity between New York’s Highway, Bridge and Transit Systems, Department of Public Works”.

#### CEO/DOG CONTROL REPORT:

Reported that the Flood Damage Prevention Law needs to be drafted and submitted to the DEC for review by March 15, 2016.

He had provided three proposals to be added to the existing law. Repetitive Damages, Compensatory Storage, and Critical Facilities. The Board had time to review the proposals but Councilwoman Wood requested additional time to review Compensatory Storage.

Supervisor Gregory suggested tabling the Compensatory Storage proposal but move forward with the Repetitive Damages and Critical Facilities.

Further discussion took place on the effects of the proposals.

Reported on a letter received from Attorney Gary Grayson requesting the Town to grant permission to CEO Dutcher the ability to issue certificate of occupancies on houses that currently do not have one. The Board felt this placed a liability on the CEO and Town. CEO Dutcher explained that the current procedure allows for an electrical and engineer inspection to be performed they depending on the result of that, a certificate of compliance may be issued. CEO Dutcher explained that without him actually seeing the wiring and footers, places him responsible should a fire of structural damage occur due to improper installation.

Attorney Walas is looking into the matter.

The Board granted Supervisor Gregory permission to respond to Attorney Grayson; informing him that the Board is researching the matter.

Resident Jackie Fairchild started to speak on a matter he is having with his neighbor and Supervisor Gregory requested that he stop; for that floor time had already been closed.

#### SUPERVISOR’S REPORT:

Supervisor Gregory informed the Board that he has appointed me as the Bookkeeper.

Requested permission to respond to NYCDEP proposed acquisition #3910 of approximately 1023.06 acres off of South River Road.

**RESOLUTION #40**

**RECOMMENDATIONS FOR PUBLIC ACCESS #3910**

A motion was made by Councilman Armstrong, seconded by Govern granting Supervisor Gregory permission to respond to NYCDEP requesting recommendation for public access for project #3910. All in favor, motion carried.

Supervisor Gregory requested permission to make payment of the escrow funds for the South Mountain Wind Project now that documentation has been received confirming that the tower has been dismantled.

**RESOLUTION #41**

**PAYMENT OF S. MOUNTAIN WIND ESCROW FUNDS**

A motion was made by Councilwoman Wood, seconded by Rodriguez-Betancourt granting payment to be made to South Mountain Wind LLC in the amount of \$8,522.57. All in favor, motion carried.

Supervisor Gregory questioned the Board of their intent of the Walton Reporter Green Space property after five (5) years? He questioned if they plan to turn the property over to the Village of Walton?

Councilwoman Wood stated she was not sure about just turning the property over.

Supervisor Gregory also questioned if the Town Planning Board has been involved with the project? Planning Board Chairman Gale Sheriden stated they had not been involved.

Councilman Rodriguez-Betancourt stated the function needs to be a waterway but until the Water Street Project is completed, it will be a holding area.

Supervisor Gregory requested Mayor Snow to assign a village liaison and along with Councilperson Wood and Rodriguez-Betancourt and the town and village planning departments a committee to be formed. All were in agreement.

Supervisor Gregory asked Mayor Snow if the Village of Walton would forgive the outstanding water bill on the property in the amount of \$485.00.

Flood Plain Manager Stephen Dutcher informed the Board that the Water Street Project is moving forward and a feasibility study grant has been awarded.

Supervisor Gregory asked Councilpersons Wood and Govern to research the East Brook flood gage and to see what it will take to get this up and running again. They were provided with research I had started in 2015.

**COMMITTEE REPORTS:**

None Reported

APPROVAL OF BILLS:

**RESOLUTION #42**

**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	#19-40	\$33,817.32
General OV B	#3	\$525.00
General Hwy DA	#1-17	\$61,448.65--
OV Hwy DB		
WTHRCD-01		\$28,760.00

EXECUTIVE SESSION:

**RESOLUTION #43**

**EXECUTIVE SESSION**

A motion was made by Councilman Armstrong, seconded by Rodriguez-Betancourt to enter into executive session for the purpose of union negotiations, employee contract, and litigation All in favor, motion carried.

Entered at 8:04 p.m.

Motion was made by Councilman Rodriguez-Betancourt, seconded by Govern to close executive session. All in favor, motion carried.

Out at 10:15 p.m.

The Board discussed the possible impact on the taxpayers if the Village of Walton obtains a general bond instead of a revenue bond for the bio-digester project. It was the agreement of the Board, to have Supervisor Gregory, send a letter to the Village of Walton stating their concerns and request they obtain a revenue bond for the bio-digester project.

**RESOLUTION #44**

**KRAFT PRELIMANRY HEARING**

A motion was made by Councilman Govern, seconded by Wood granting Attorney Walas permission to move forward with a preliminary hearing on the Kraft Article 7 Proceedings. All in favor, motion carried.

With no further business before the Board, and upon a motion from Councilman Govern, seconded by Rodriguez-Betancourt, the meeting was adjourned at 10::25 p.m.

Respectfully submitted,

Ronda Williams  
Town Clerk