

TOWN BOARD MEETING

Public Hearing  
October 13, 2014  
6:00 P.M.

PRESENT: Councilpersons: Kevin Armstrong, Leonard Govern, Patty Wood, Supervisor Bruce Dolph, Hwy. Supt., Walt Geidel, Attorney Sean Beckman and Town Clerk Ronda Williams

ABSENT: Luis Rodriguez-Betancourt

OTHERS PRESENT:

Lillian Brown-Burdick – The Walton Reporter, Jane Contello, Steve Schick, Alexis Hugh, Gordon Hugh, Jim McLachlan, Thereon Howland, Margaret Bazura, Calvin Beardslee, Margaret Telian, Barbara Tietjen, Sharon Way

Supervisor Dolph opened the Public Hearing for anyone wishing to speak in favor or against the proposed Local Law #2 of 2014 to amend the town of Walton's Zoning Laws to Regulate Grass, Brush and Weeds added as Section 504 (c).

Jim McLachlan – Pines Brook, spoke against the proposed Local Law #2. He first thanked the Board for allowing the public to provide input before taking action, unlike the school board. He stated he works hard to maintain his property and has one area with high bushes for the purpose of honey bees to pollinate. He stated there are currently too many organizations that you need approval from, before you can do anything on your own property and felt the Board should reconsider signing this local law. He stated that a single person should not determine whether his property is in violation of this code and felt Mr. Dutcher has too many hats and feared retribution. Mr. McLachlan stated "If I am suspected of murder they have to get a warrant to search my property. I can't see the legality of this."

Thereon Howland – County Highway 22, spoke against the proposed Local Law #2 stating landowners have too many organizations telling us what we can do with our property now.

Jane Contello – Route 206, spoke against the proposed Local Law #2, stating she thought at first it was a joke. The definitions are out of village verbiage not definition of town property. The proposed law does not make reference to elevation; she could not personally mow certain areas of her property. She was against anyone going onto someone else's property and felt it to be an invasion of privacy.

Calvin Beardslee – Bobs Brook, questioned how many complaints have been received? Stated that the Board should never make a law to just take care of a few people. "Where will you stop?" Most property is sold to owners living in overstated, they will not want to keep coming here just to mow.

Margaret Bezera – states she felt it was a poorly written ordinance and not enforceable. She stated it was an uneven playing field and what about those that want wildflower fields? She commented; enforce the laws on the books now instead of making new ones.

Lillian Browns – Questioned if NYC has a land maintenance agreement for property they own and who will maintain that? Supervisor Dolph stated that they should not be purchasing any property with a dwelling.

With no further comments, Supervisor Dolph closed the Public Hearing.

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**RESOLUTION #94                      APPROVAL OF MINUTES**

A motion was made by Armstrong, seconded by Govern approving the minutes of September 8, 2014 as presented. All in favor, motion carried.

FLOOR TIME:

Gordon and Alexis Hughs of Smith Road approached the Board with a concern that Smith Road may become a seasonal use road. Mr. Hughs stated he was aware of the difficulty with plowing and with the plow trucks having an ample area to turn around. He explained to the Board that he would like the opportunity to come to some type of resolution.

Supervisor Dolph stated we are concerned for the safety of our drivers and welcomes the opportunity to work out a solution. He suggested Mr. Hughs contact Mr. Geidel and set up a time to talk and view the area.

Councilman Govern described what it's like to operate a plow truck and safety needs to be the number one concern.

Supervisor Dolph stated at this time he would like comment from the Board on their opinion of the proposed Local Law #2.

Councilman Armstrong stated our purpose was to enforce the NYS Property Maintenance Code already on the books. He felt this was a "knee jerk" reaction. This is a law already on the books and we should leave it up to the courts to decide.

Councilwoman Wood stated there is a lot of invasion of government already, not sure if we need a law for just a few people.

Councilman Govern stated he lives on East River Road and is a conservative person. He stated that you should be able to do what you want as long as it does not harm your neighbors – rodents could harm your neighbors.

Supervisor Dolph stated the area is clustered and the town has done everything we can, it's in the court now.

Councilwoman Wood was in agreement that it affects property values but did not agree with entering a person's property to maintain it.

Councilman Armstrong made a motion to drop the proposed local law. Councilman Govern suggested waiting until Councilman Rodriguez-Betancourt was present.

**RESOLUTION #95**

**WITHDRAWAL OF PROPOSED LOCAL LAW #2 OF 2014**

A motion was made by Councilman Armstrong, seconded by Wood to withdrawal the proposed Local Law #2 of 2014. Yea-Armstrong, Wood, and Dolph. No – Govern. Motion carried.

**SUPERINTENDENT OF HWY. REPORT:**

Reported that he is in the process of hiring part-time wingmen.

Reported that all stream work was completed in September for the Beers Brook and Third Brook projects. He stated that the Third Brook project was completed in 12 days.

Councilman Armstrong questioned what is preventing the trees along the Third Brook from falling into the stream? Supervisor Dolph informed Councilman Armstrong that it was due to the tierring procedure they have placed along the banks.

Reported that the truck is still not done.

Reported that it was once again time to post the designated seasonal limited use roads. These will be Chase Brook from Town of Tompkins town line to Town of Tompkins town line and Beers Brook from Russ Gray Pond to NYS Route 206.

Reported that he has received a phone call from a resident on East River Road indicating that a Town truck was traveling very fast past her house. She stated that the speed limit signs are not working. Superintendent Geidel informed her that he did not have any Town trucks in that vicinity.

Reported that the Walton Fire District will be celebrating 150 years on July 11, 2015.

TOWN CLERK'S REPORT:

Reported that the past due dog license list is starting to dwindle. We now currently have 21 past due.

Reported that the window replacement will start on October 16<sup>th</sup>, the contractor expects it to take two days.

Provided my financial report to the Board

Reported that notification of acceptance has been received that Local Law #1 of 2014 to Amend Local Law #1 of 2012 Entitled "Flood Damage Prevention Law has been filed with the Secretary of State.

CODE ENFORCEMENT/DOG CONTROL REPORT:

A verbal report was not given.

SUPERVISOR'S REPORT:

Supervisor Dolph presented the 2015 Tentative budget to the Board. He asked that the Board review the budget and a budget workshop will be held on October 30, 2014 at 6:00 p.m. He informed the Board that the appropriations have increased by \$88,887 and the tax levy is up by 1.50%.

He reported on the Delaware County Public Health Report that states the birth rate for our area is going down and the suicide death rate in Delaware County is alarming. He stated that Walton has the highest cases of dog bites in the County and that Walton's percentage of the population receiving Social Services benefits is 16.5%

Reported that he received a letter from the United Courts indicating it was time for the Town Board to perform an audit of the Town Court. Councilman Govern and Wood will meet before the next scheduled Board meeting.

Reported that the Delaware County Board of Supervisors have passed Resolution #168. This is a resolution to establish minimum standards for County participation in litigation involving challenges to real property assessment.

Reported that a budget amendment was necessary to increase the amount of additional CHIPS money received.

**RESOLUTION #96**

**2014 BUDGET AMENDMENT**

A motion was made by Councilman Govern, seconded by Wood approving the budget amendment as presented. All in favor, motion carried.

<u>Highway - DB</u>		<u>Increase</u>	<u>Increase</u>
Capital Outlay	DB5112.2	\$26,376.09	
Revenues-(CHIPS)	DB3501		\$26,376.09
		<hr/>	<hr/>
		\$26,376.09	\$26,376.09

Supervisor Dolph informed the Board that Senator Bonacic has awarded the Town of Walton \$100,000 to demolish the old Walton Reporter Building. The Flood Committee is in the process of obtaining final figures for the project.

COMMITTEE REPORTS:

Nothing reported

APPROVAL OF BILLS:

**RESOLUTION #97**

**APPROVAL OF BILLS**

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

General Fund A	#177 - 225	\$24,691.93
General OV B	#16 - 17	\$ 2,572.84
General Hwy DA	#111 - 119	\$ 5,247.14
OV Hwy DB	#35 - 42	\$48,584.73

With no further business before the Board, the meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Ronda Williams  
Town Clerk