

TOWN BOARD MEETING

November 14, 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: Tim Robinson, Bruce Dolph, Steven Dutcher, Abby Butler – Walton Reporter, William Stone – Crown Castle, Tim Dietz – videographer.

Supervisor Gregory opened the Public Hearing for any persons wishing to speak in favor or against the proposed 2017 Preliminary Budget.

Supervisor Gregory informed the public that after additional review of the Preliminary Budget, he has decided to reduce the DA Fund by \$30,000 and the A Fund by \$10,000. With no public comment, the Public Hearing was closed at 6:05 p.m.

RESOLUTION #139 APPROVAL OF MINUTES

A motion was made by Councilman Armstrong, seconded by Rodriguez-Betancourt approving the minutes of October 19, 2016 as presented. All in favor, motion carried.

FLOOR TIME:

Supervisor Gregory introduced William Stone from Crown Castle.

Mr. Stone informed the Board that T-Mobile is looking to modify their equipment on the Town of Walton's cell tower. This would allow for additional megahertz to provide better service to its customers for newer apps and Netflix or video streaming and to provide a stronger wireless service in homes and buildings. He stated there is still ample space available for additional carriers.

Mr. Stone stated that these changes would not likely be noticed by the public looking at the tower, but would generate an additional \$644.70 per month in revenue.

RESOLUTION #140 SECOND AMENDMENT TO GOVERNMENT ENTITY TOWER LICENSE AGREEMENT

A motion was made by Councilwoman Wood, seconded by Rodriguez-Betancourt granting Supervisor Gregory permission to enter into and sign the Second Amendment to Government Entity Tower License Agreement between the Town of Walton and T-Mobile Northeast LLC. All in favor, motion carried.

Councilwoman Wood questioned Mr. Stone on the status of Verizon? Mr. Stone stated that they have just recently received an application from Verizon which now Crown Castle will run

an analysis to review the proposed equipment and whether or not the tower will need reinforcement. Verizon antennas will erect below T-Mobiles.

Timothy Robinson approached the Board to offer his property on Delaware Street for a potential site for the County Mental Health Facility.

Mr. Robinson stated his property has approximately 268 feet of road frontage, it is not located in the flood plain and he has all the documents concerning the PCB contaminant removal that was performed by the NYSEG.

Mr. Robinson stated he wanted to clarify a comment made by another resident at a public meeting that his property is the last developable property and should not be used for County purposes. He stated he has been under land contract and deed for 30 years and no one is knocking down his door to purchase the property, he is looking to sell it now.

Mr. Robinson also questioned the status of the Flood Mitigation Project on relocating the car dealership owned by Keath Davis next to the property that he owns? He wanted to inform Supervisor Gregory that this property only has a twenty foot right of way and he at the point of putting up a fence.

Supervisor Gregory stated he would pass this information along to the committee.

SUPERINTENDENT OF HWY. REPORT:

Reported that the Town has been awarded a four wheel drive truck from Federal Surplus. Town submitted a bid of \$700.00 for a 1986 Chevy four wheel drive pickup truck from Federal Surplus.

Reported that the renewal mining permit for the MacGibbon mine has been submitted.

Informed the Board that the surplus solar panels have not been pickup by the high bidder, he will hold them for a bit longer. He stated he would like to also surplus additional items no longer used by the highway department. He has a winch, chain saws and a fifth wheel attachment.

RESOLUTION #141

HIGHWAY SURPLUS EQUIPMENT

A motion was made by Councilman Armstrong, seconded by Govern granting permission to surplus the winch, chain saws and a fifth wheel attachment and to place the items on Auctions International. All in favor, motion carried.

Superintendent Geidel reported that he will be helping the Cemetery Association to dig and cover their new gas line. Councilman Govern suggested waiting until all property owners have signed the agreement granting permission to cross their property with the proposed gas line.

Superintendent Geidel stated after attending a conference, he discovered that several town roads are not accounted for on Google Maps and a resolution would be needed to add these roads to the Town's inventory.

RESOLUTION:142

AMENDMENT OF TOWN HIGHWAY INVENTORY

The Town Board (hereinafter "Town Board") of the Town of Walton (hereinafter "Town"), duly convened in regular session at Town Hall, does hereby resolve as follows:

WHEREAS, the Highway Superintendent has determined that the Town of Walton's Local Highway Inventory (LHI) is not complete and as a result is not accurately depicted on the online mapping tools and needs to be amended to include the following Roads: Miller Road (length .45 miles), Tennant Road (length .27 miles), Weber Road (length .25 miles), and McClenon Road (length .07 miles); and therefore

IT IS RESOLVED THAT, the Town hereby amends its LHI to include the above Roads and its correct length and

RESOLVED THAT, the Highway Superintendent is authorized to take such action necessary to amend such LHI, including but not limited to notifying Delaware County and New York; and their respective applicable departments; and

RESOLVED THAT, this Resolution shall take effect immediately.

ADOPTED this November 14, 2016 at the meeting of the Town Board of the Town of Walton.

RESOLUTION #142 AMENDMENT OF TOWN HIGHWAY INVENTORY

A motion was made by Councilman Govern, seconded by Rodriguez-Betancourt granting permission for the Highway Superintendent to take such action necessary to amend the Local Highway Inventory. All in favor, motion carried.

Councilman Armstrong read a Winter Friendly Reminder to the public and directed the Clerk to place the legal notice in the paper.

TOWN CLERK'S REPORT:

Provided my financial reports to the Board.

Reported that a request for use of facilities of Veterans Plaza on June 10, 2017 has been received. I questioned if a fee was going to be established? The Board decided to table until next month. Supervisor Gregory stated there is a person interested in using the space on November 26, 2016. A Use of Facility form will be sent.

Reported that the Dog Control Officer has received a FOIL request that I will pass along to our Attorney for review, due to its vagueness.

CEO/DOG CONTROL REPORT:

Reported that he will get a monthly dog report to the Board.

Reported that the bluestone has been placed around the flag pole in Veterans Plaza. He is currently waiting to hear from NYSEG about hooking up the electric to the pavilion.

Councilman Rodriguez-Betancourt questioned if the electric line from the pole will be buried? CEO Dutcher stated it would and a line could be run to the flag pole to provide a brighter light.

Reported that a letter has been received from the Community Rating System (CRS) indicating that Walton residents are eligible for a 10% reduction on flood insurance.

Reported to the Board that he will be attending his annual training in December. The Board was all in agreement.

SUPERVISOR'S REPORT:

Supervisor Gregory asked if the Board had any questions on the 2017 Budget? The Board was in agreement to decrease the DA Highway Town Wide by \$30,000, increase the A General Town Wide amount of fund balance used by \$10,000, and decrease the DB Highway Outside Village amount of fund balance used by \$40,000. This will result in a 0% tax levy increase from the 2016 levy amount.

RESOLUTION #143

2017 BUDGET

A motion was made by Councilman Govern, seconded by Rodriguez-Betancourt moving the Preliminary Budget as the 2017 adopted Budget.

Supervisor Gregory shared before and after photos of the view of the village from More Park. He thanked Superintendent Geidel and his employees for the hard work they provided in the tree and brush removal.

Supervisor Gregory presented the following resolution to the Board on the selection of an engineer for the Stream Management Program.

**Resolution of Support for the selection of an Engineering consultant to
The Delaware County Soil and Water Conservation District's Stream Management
Program for use within the Town of Walton**

WHEREAS, the DCSWCD is a governmental entity established in NYS Municipal Law Book 52-B to provide technical support to Delaware County, including the Delaware Stream Corridor Management Program (DSCMP) ("Program"); and

WHEREAS, pursuant to Section 4.6 of the 2007 Filtration Avoidance Determination, New York City Department of Environmental Protection committed to a locally-driven stream management plan implementation process; and

WHEREAS, pursuant to the 2009 agreement (20090018734) between the Delaware County Soil and Water Conservation District and the New York City Department of Environmental Protection (NYCDEP) which established a Stream Management Plan Implementation Program, including staff support and funding to pay for stream management plan implementation in the West of Hudson Watershed; and

WHEREAS, the Town of Walton has entered into a Memorandum of Understanding with the DCSWCD to provide administrative and technical assistance for the Implementation of the West Branch Delaware River Stream Management Plan

WHEREAS, the Town of Walton has reviewed the 3 engineering consultants that the DCSWCD has under direct contract with the Stream Management Program

NOW, THEREFORE, BE IT RESOLVED that the Town of Walton supports the DCSWCD by selecting the engineering services of Milone & MacBroom, Inc. for the implementation of recommended flood mitigation and water quality related Stream Management Implementation programs and projects within the Town of Walton (as needed) through the direct contract between the DCSWCD and Milone & MacBroom, Inc.

RESOLUTION #144 **Resolution of Support for the selection of an Engineering consultant to the Delaware County Soil and Water Conservation District's Stream Management Program for use within the Town of Walton**

A motion was made by Councilman Armstrong, seconded by Rodriguez-Betancourt supporting the DCSWCD by selecting the engineering services of Milone & MacBroom for the implementation of recommending flood mitigation and water quality related Stream Management Implementation programs and projects within the Town of Walton. All in favor, motion carried.

Reported that we are seeking one more quote for our computer network upgrade and will report back.

Reported that a resident has offered a 24 x 72 foot property to the Town of Walton.

Supervisor Gregory asked the Board to review the senior and veterans exemptions and decide if they would like to adjust any. He read the current and proposed exemptions to the Board.

Tax Exemptions for Veterans

(November 1, 2016)

There are three exemptions for New York State veterans. The Town of Walton offers all three of them. (There are no income limits on those qualifying these exemptions.)

1. **"Eligible Funds"** (Real Property Tax Law, section 458).
 - a. Falls under the auspices of the Veterans' Administration
 - b. Has been in effect since World War II

- c. Eligibility Criteria includes:
 - i. Receipt of VA Disability Compensation
 - ii. Receipt of Military Retirement Pension
 - iii. Receipt of War Bonus
 - iv. Receipt of Mustering Out Pay
 - v. Receipt of Veterans Insurance Dividends
- d. Maximum was recently raised from \$5,000 to \$7,500
- e. Amount taken off of property's assessed value
- f. If the service member dies, his/her spouse may continue to receive the exemption as long as he/she does not remarry
- g. If the un-remarried spouse moves to a different house, he/she needs to reapply for the exemption

2. **"Alternative Tax Exemption"** (Real Property Tax Law, section 458-a).

- a. Went into effect in 1984
 - i. Originally had a 10-year sunset clause. This was later amended to eliminate the sunset.
- b. Amounts are cumulative
 - i. 15% off for War Time Service
 - ii. 10% off for duty in a combat zone
 - iii. One half of the individual's VA disability Rating*
 - 1. i.e.: if the individual has a 20% VA disability Rating, they would get an additional 10%' or in this example,(assuming he/she had duty in a combat zone) a total of 35% off
- c. The town of Walton has established dollar caps are for each of these categories which are also referred to as "Optional Maximums" These caps are multiplied by the "equalization rate" to come up with the veteran's actual tax exemption.
 - i. Cap on War Time Service = **\$12,000** x .259 = \$3,108 Town
 = **\$ 9,000** x .259 = \$2,331 Village
 - ii. Cap on Combat Service = **\$8,000 + 12,000 = 20,000** x .259 = \$5,180 Town
 = **\$6,000 + 9,000 = 15,000** x .259 =
 \$3,885 Village
 - iii. Cap on Disability = **\$40,000** x .259 = \$10,360 Town
 = **\$30,000** x .259 = \$ 7,770 Village
- d. Individual must have earned an expeditionary medal
- e. Towns of Delhi & Colchester do not offer the Alternative Tax Exemption
- f. If the service member dies, his/her spouse may continue to receive the exemption as long as he/she does not remarry
- g. If the un-remarried spouse moves to a different house, he/she needs to reapply for the exemption

3. **"Cold War Tax Exemption"** (Real Property Tax Law, section 458-b).

- a. Went into effect in 1991
- b. For those without wartime service
- c. The percentage is taken off the assessed value plus the equalization rate
- d. There are two levels, 15% or 10%
 - i. Walton, Middletown, Colchester, & Stamford offer 15%
 - ii. Meredith offers 10%
- e. Individual is eligible for only one exemption (Alternative or Cold War)
- f. If the service member dies, his/her spouse may continue to receive the exemption as long as he/she does not remarry
- g. If the un-remarried spouse moves to a different house, he/she needs to reapply for the exemption
- h. Exemption is limited to 10 years in duration; disability exemption benefit portion has no time limit <https://www.tax.ny.gov/pit/property/exemption/coldwaroverview.htm>
- i. Cap on Cold War Service:
 - j. = **\$12,000** x .259 = \$3,108 Town
 - k. = **\$12,000** x .259 = \$3,108 Village

RESOLUTION #145

VETERANS EXEMPTION

A motion was made by Councilman Rodriguez-Betancourt, seconded by Wood to keep the veterans exemption as the current levels. All in favor, motion was carried.

The Board was in agreement to hold a Public Hearing on a proposal to offer or not offer a Senior Citizens Exemptions and if so, at what level of exemption; a specific exemption tied to a specific income level or a sliding scale. The hearing will be held on December 12, 2016.

APPROVAL OF BILLS:

RESOLUTION #146

APPROVAL OF BILLS

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

General Fund A	#275-330	\$96,702.19
General OV B	#15-16	\$2,987.50
General Hwy DA	#103-117	\$36,204.17
OV Hwy DB	#40-48	\$89,757.42

COMMITTEE REPORT:

Supervisor Gregory reported on an inquiry that Councilwoman Wood has questioned on sex offenders relocating to Delaware County. He stated that although the crime happened in Rensselaer County, upon his release from Elmira, the offender was returned to Delaware County since that was the court which sentenced him. He is currently residing at the county facility at 32232 State Route 10, Walton, N.Y.

EXECUTIVE SESSION:

RESOLUTION #147

EXECUTIVE SESSION

A motion was made by Councilwoman Wood, seconded by Rodriguez-Betancourt to enter into executive session for the purpose of discussing pending litigation, union contract, and proposed audit contract and agreement. All in favor, motion carried.

Entered 7:20 p.m.

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

Out 8:15 p.m.

As a result of discussion from executive session, the following was agreed upon.

RESOLUTION#148

CONFIDENTIALITY AGREEMENT

A motion was made by Councilman Rodriguez-Betancourt, seconded by Wood to enter into a confidentiality clause with the video photographer allowing access to the Town of Walton's YouTube page for the purpose of uploading the meeting videos. All in favor, motion carried.

RESOLUTION#149

RFP FOR INDEPENDENT AUDITOR

A motion was made by Councilman Rodriguez-Betancourt, seconded by Wood granting permission for Supervisor Gregory to seek RFP's for an Independent Auditor to audit the Town of Walton's financial records on an annual basis. All in favor, motion carried.

RESOLUTION #150

DECLINE LAND OFFER

A motion was made by Councilwoman Wood, seconded by Rodriguez-Betancourt declining the offer for a donation of land from a resident at this time. All in favor, motion carried.

With no further business before the Board, the meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Ronda Williams
Town Clerk