

TOWN BOARD MEETING

February 11, 2019

6:00 P.M.

PRESENT:

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

OTHERS PRESENT:

Lillian Browne – The Reporter, Steve Condon – Village Trustee, Larry Light – Pastor,

Supervisor Cetta requested a moment of silence in memory of Samuel Swart who passed away February 9, 2019. Mr. Swart was a Town of Walton Judge for 35 years and a respected school teacher for 33 years at Walton Central School.

FLOOR TIME:

Emma Aversa and John Camp of C&S Engineers, Inc presented a Drainage Report and Culvert Analysis to the Town Board.

Ms. Aversa stated that she received excellent record of reports from Walt that made their job much easier.

The existing culverts did not have a naming system, but that has been completed within this report. The calculated all the culverts to determine what storm event they could pass. Ms. Aversa stated she would focus on any culvert not able to pass a 50-year flood event which is currently 25% of the current inventory.

Mr. Camp pointed out that page 6 of the report does not focus on the current condition of the culverts. There are all kinds of ways to prioritized, but you as a town know what needs to be done first and could make an amendment to the report.

Walt Geidel reported he wanted to finalize the report with the Board then seek funding from CWC.

Councilman Rodriguez-Betancourt questioned how does this effect the flood insurance points? Flood Plain Manager Steven Dutcher stated they could provide 25 points; any little bit helps.

Councilman Armstrong questioned if there would be any in-kind service amount? Superintendent Walt stated he did not believe so.

Superintendent Geidel stated his next step would be to turn this report over to Kim Ackerley of CWC.

The Board thanked Ms. Aversa and Mr. Camp for coming and presenting the reports.

Lillian Browne introduced Mikala Mills as a new reporter that has started working for The Reporter

RESOLUTION #35

APPROVAL OF MINUTES

A motion was made by Councilman Armstrong, seconded by Rodriguez-Betancourt approving the minutes of January 14, 2019 as presented. All in favor, motion carried.

CODE ENFORCEMENT REPORT:

Town of Walton
Code Enforcement Office
Stephen L. Dutcher, CFM

Monthly Summary Report

Month of January 2019

Building Permits Issued	1
Building Inspections Completed	5
Fire Inspections Completed	7
Notices of Violation Issued	1
Tickets Issued	0
Certificates Issued	2
Complaints Received	2
Floodplain Development	
Permits Issued	0
CO Searches	2

CRS Recertification was submitted to and accepted by ISO.

Reported that a highway management plan will provide additional points and anticipated the points received could result in a 15% reduction in flood insurance rates.

Reported that he plans to hold a realtor class on February 26, 2019 at 1:00 p.m.

DOG CONTROL REPORT:

Martin J. Way, Jr.
Town of Walton Dog Control Officer
129 North Street
Walton, New York 13856
January 2019

Dog Control Activity Summary

Complaints Received	10
Dogs Seized	0
Returned to Owner	0
Humane Society	0
Dangerous Dog Cases	0
Tickets Issued	0
Total Redemption Fees	0
Vehicle Mileage	124

ASSESSOR REPORT:

Town of Walton
Monthly Assessor's Report
January 2019

- Conferenced with the Delhi Office of Real Property Tax Services Mike Sabansky and his Staff regarding Roll issues. The January Delaware County Assessors Meeting was cancelled due to schedule conflicts.
- Completed field inspections for several of the new buildings and property improvements that have been reported by The Town of Walton Code Enforcement Officer.
- Continued work with the Code Enforcement Officer posting valuation updates for properties that are in significant disrepair and those having pending code issues that will impact 2019 roll assessments. Completed site visits for several of these properties.
- Annual Exemption Renewal Documents were mailed and receipts are documented on a daily basis. The new STAR IVP Income Verification Program documentation has been a challenge for many property owners requiring numerous second notice mailings for incomplete document submissions.
- The annual exemption renewal process for Agriculture Assessment and Forestry 480a exemptions is also in process.
- Completed several field inspections on parcels at the request of the property owners who questioned the accuracy of their assessment data or valuation. Several commercial rental parcels and residential parcels were inspected and current data gathered for assessment updates.

SUPERINTENDENT OF HWY. REPORT:

Discussion continued from the C&S Engineer presentation.

Councilman Rodriguez-Betancourt stated the Town needs to build a capacity that will carry us into the future and not to settle for the lowest flood event. He would like Superintendent Geidel to balance a cost versus benefits if the flood event was raised to the highest.

Reported that the material from Water Street would soon be used to build shoulders on Houck Mountain Road.

Reported that he met with FEMA representatives and they together reviewed work that needs to be done. He has a March deadline.

Reported that it was time to go back out to bid for the materials needed. This will go in the paper next week.

Reported that he would like to surplus parts manuals and a 2002 Case Backhoe.

RESOLUTION #36

SURPLUS PARTS MANUALS AND 2002 CASE BACKHOE

A motion was made by Councilman Armstrong, seconded by Govern granting permission to surplus Parts manuals that are now longer needed or obsolete and to surplus a 2002 Case Backhoe. All in favor, motion carried.

Reported that in November and December the Highway Department used approximately 700 yards of material, while in January, they doubled that. They have since ordered more.

Councilwoman Wood commented that she was glad to see him back. Superintendent Geidel stated Deputy Foreman Mike Merwin has done a very nice job in his absence.

TOWN CLERK’S REPORT:

Provided my financial reports to the Board.

Reported that I am 71% collected.

Reported that I will be attending a NYS Town Clerk’s Regional Meeting on Sunday, March 10th – Monday March 11, 2019.

**TOWN OF WALTON
OFFICE OF TOWN CLERK
129 NORTH ST.
WALTON, NY 13856**

TO: Town Board Members
FROM: Ronda Williams, Record Management Officer
DATE: February 11, 2019
SUBJECT: Obsolete Records

The following records have met the New York State Record Retention and Disposition Schedule and are no longer required to keep. Upon your approval these records will be disposed of properly.

**DOG IDENTIFICATION AND CONTROL
RETENTION**

2015 Copy of original or renewal license 3
years

FISCAL

Banking and Investment:

2012 Banking communications; bank statements 6 years
copy of checks, deposit books & slips, receipts

Payroll:

2012 Employee time cards, sheets, request for time off, 6 years

Purchasing:

2012 Invoices, abstracts, 6 years

General Accounting and Miscellaneous:

2012 Accounting register, Cash transaction, Daily cash records 6
years

GENERAL

2017 Correspondence including e-mails of no fiscal, legal
or administrative value o no longer need

INSURANCE/SELF-INSURANCE

Insurance policy:

2012 Insurance Policies 6 years

Certificate of insurance:

2012 Certificate of Insurance 6 years

PUBLIC PROPERTY AND EQUIPMENT

Consumption and Dispensing Records:

2012 Fuel Consumption Records 6 years

TAXATION AND ASSESSMENT

Assessment Roll/Tax Roll:

2013 Tentative assessment roll 5 years

2012 Tax collection records 6 years

TRANSPORTATION & ENGINEERING

Highway, Engineering, and Public Works:

2012 Truck Load Slips 6 years

RESOLUTION #37

PERMISSION TO DISPOSE OF RECORDS

Motion made by Councilwoman Wood, seconded by Govern
Roll call vote:

Aye	Councilman Armstrong
Aye	Councilwoman Wood
Aye	Councilman Govern
Aye	Councilman Rodriguez-Betancourt
Aye	Supervisor Cetta

SUPERVISOR’S REPORT:

Welcomed Trustee Steven Condon.

Reported that the CWC reported the approval of the Breakey Motors property. Supervisor Cetta thanked Soil and Water employee Graydon Dutcher and his staff for the very nice job in estimating the removal material. Also commenting, “We did this right”.

Supervisor Cetta presented the following resolutions.

RESOLUTION NO. 38

TITLE: APPOINTMENT OF MEMBER AND ALTERNATE MEMBER FOR THE UPPER DELAWARE RIVER TAILWATERS COALITION (UDRTC) AND THE UPPER DELAWARE RIVER TAILWATERS AND TRIBUTARIES COMMUNITIES’ TASK FORCE (TASK FORCE)

WHEREAS, the Members of the TASK FORCE are cities, towns, villages, counties, and other municipalities located in the Upper Delaware River Tailwaters and Tributaries Region; and

WHEREAS, the UDRTC shall operate as a coalition and discussion forum for municipalities, non-governmental organizations, sporting groups, and other entities interested in its mission and objectives; and

WHEREAS, the members of both groups are affected by the myriad state, federal and local rules and regulations governing water levels, fisheries, water releases; the maintenance of reservoirs and water resources throughout the region; and the impacts of flooding, erosion, accelerated sediment transport, and thermal disturbances which are particularly acute throughout the Upper Delaware River Tailwaters and Tributaries Region; and

WHEREAS, the members of both groups are affected by decisions made by such agencies as the Delaware River Basin Commission (DRBC), the Upper Delaware Council, the National Parks Service, Delaware Rivermaster, the New York State Department of Environmental Conservation (DEC), the New York City Department of Environmental Protection (DEP), and other agencies responsible for the maintenance and regulation of water resources and habitats in and around the Members’ communities; and

WHEREAS, the members of both groups wish to ensure their interests are adequately represented before these agencies, and therefore wish to join together to work in furtherance of common goals related to the watershed resources, fisheries, recreation, flood mitigation, and other matters; and

WHEREAS, the Members, desiring to reduce their transactional costs and desiring to speak with one voice on matters related to watershed resources, fisheries, recreation, and flood mitigation, do hereby enter into this Agreement to maintain an organization to effectuate these goals; and

WHEREAS, the Town of Walton passed a resolution to become a member of the Task Force on August 10, 2015, and has agreed in principle to become a member of the UDRTC,

NOW, THEREFORE BE IT RESOLVED, the Town of Walton Supervisor Joseph Cetta will appoint new members and alternate members to the UDRTC and Task Force as vacancies may occur and provide name changes to the Chair/President of the UDRTC and/or Task Force.

RESOLUTION #38 APPOINTMENT OF MEMBER AND ALTERNATE MEMBER FOR THE UPPER DELAWARE RIVER TAILWATERS COALITION (UDRTC) AND THE UPPER DELAWARE RIVER TAILWATERS AND TRIBUTARIES COMMUNITIES' TASK FORCE (TASK FORCE)

A motion was made by Councilwoman Wood, seconded by Armstrong appointing Supervisor Cetta as member and Leonard Govern as alternate member to the UDRTC. All in favor, motion carried.

Presented the 2018 Budget Amendments

Budget Amendments December 2018			
General-A	Account	Increase	Decrease
Supervisor	1220.4	1,710	
Assessor, CE	1355.4	1,585	
Town Clerk, CE	1410.4	420	
Buildings, CE	1620.4	3,635	
Veterans Services CE	6510.4	1,012	
Flood & Erosion Control	8745.4	14,300	
Judgement & Claims	1950.4		22,662
		22,662	22,662
General-B	Account	Increase	Decrease
Zoning, CE	8010.4		650
Planning CE	8020.4		420
Social Security	9030.8		95
Registrar of Vital Statistics, CE	4020.4		928
Safety Inspections, CE	3620.4		237
		1165	1165
Highway - DA	Account	Increase	Decrease
Machinery, PS	5130.1	395	
Machinery, Equip	5130.2	26,659	

Machinery, CE	5130.4	2,861	
Miscellaneous, CE	5140.4	106	
HRA INS Deductible	9089.8	4,937	
Transfer to other funds	9901	6,484	
Snow Removal, PS	5142.1		19,128
snow Removal, CE	5143.4		906
State Retirement	9010.8		10,650
Health Insurance	9060.8		10,758
		41,442	41,442
Highway - DB	Account	Increase	Decrease
Capital Improvements	5112.2	13,390	
General Repairs CE	5110.4		13,390
		13,390	13,390

RESOLUTION #39

2018 BUDGET AMENDMENTS

A motion was made by Councilman Armstrong, seconded by Govern to accept the 2018 budget amendments as submitted by the auditor. All in favor, motion carried.

Reported that the Board was in receipt of the Financial Audit report and that the report was very good.

RESOLUTION #40

ACCEPT THE 2018 ANNUAL FINANCIAL REPORT

A motion was made by Govern, seconded by Armstrong accepting the 2018 Financial Statement as submitted by the auditor. All in favor, motion carried.

**RESOLUTION ACCEPTING DISTRIBUTION FROM
THE LEVI HANFORD CEMETERY TRUST**

WHEREAS, the under the Will of Ellen Hanford, a resident of the Town of Walton, County of Delaware, a wholly charitable trust, the “Levi Hanford Cemetery Trust” (the “Trust”) was formed, which was to distribute the income annually for the care, maintenance, and upkeep of the Levi Hanford cemetery plot and the stones thereon, which was situated on “The Mountain” in the Town of Walton, and

WHEREAS, since August 2016, Community Bank N.A. (CBNA), as agent for Wayne Bank, Trustee, has administered this Trust, and

WHEREAS, CBNA has determined that given the present value of this Trust, the annual income, and the distribution provisions, it is no longer economically feasible for CBNA (as agent for Wayne Bank) to continue to administer this Trust. Under the circumstances, CBNA seeks to terminate the Trust and distribute the entire principal and undistributed income to the Town of Walton to be used for cemetery maintenance. Now it is hereby,

RESOLVED the Town of Walton consents to the termination of the Trust, and release and discharge NBDC (as predecessor-in-interest to Wayne Bank), Wayne Bank and CBNA from all liability upon receipt of all Trust assets, and it is further

RESOLVED, that the Supervisor of the Town of Walton be and hereby is authorized and empowered to communicate with CBNA, as agent for Wayne Bank, Trustee, accepting the payment and distribution of the Trust's principal and undistributed income to the Town of Walton for cemetery maintenance and enter into an agreement with NBDC (predecessor-in-interest to Wayne Bank), Wayne Bank, as Trustee, and CBNA, as agent for Wayne Bank, to effectuate such distribution.

RESOLUTION#41

**ACCEPTING DISTRIBUTION FROM
THE LEVI HANFORD CEMETERY TRUST**

A motion was made by Councilman Armstrong, seconded by Wood to accept the distribution from the Levi Hanford Cemetery Trust.

RESOLUTION TO ESTABLISH A CEMETERY RESERVE FUND

WHEREAS, the Town Board has identified that the Town of Walton owns several municipal cemeteries which will require repairs, and other maintenance improvements in the future; and **WHEREAS**, the Town Board deems it in the best interests of the Town to establish a capital reserve fund to finance repairs and other maintenance of stones and boundary fencing for its cemeteries; and

NOW, THEREFORE, That pursuant to Section 6-c of the General Municipal Law, as amended, there is hereby established a capital reserve fund to be known as the Town of Walton Cemetery Reserve Fund. The purpose of this Reserve Fund is to accumulate money to finance the cost of a type of capital improvement. The type of capital improvement to be financed from the reserve fund is for the repair, physical public betterment or improvement or any preliminary studies and surveys relative thereto to any town structures or buildings.

1. The Town Supervisor is hereby directed to deposit moneys of this reserve fund in a separate bank account to be known as the "Town Cemetery Capital Reserve Fund".
2. The Town Supervisor is hereby directed to deposit and secure the moneys of this Reserve Fund in the manner provided by Section 10 of the General Municipal Law. The Town Board may invest the moneys in the Reserve Fund in the manner provided by Section 11 of the General Municipal Law, and consistent with the Town's investment policy. Any interest earned or capital gains realized on the moneys so deposited or invested shall accrue to and become part of the Reserve Fund. The Town Supervisor shall account for the Reserve Fund in a manner, which maintains the separate identity of the cash and investments of the Reserve Fund.
3. Except as otherwise provided by Section 6-c of the General Municipal Law, expenditures from this Reserve Fund shall be made only for the purpose for which the Reserve Fund is established. No expenditures shall be made from the Reserve Fund without the approval of the Town Board and are subject to **permissive referendum** if required by Section 6-c of the General Municipal Law.

RESOLUTION#42

ESTABLISH A CEMETERY RESERVE ACCOUNT

A motion was made by Councilman Armstrong, seconded by Wood to establish a reserve fund for cemetery maintenance.

A RESOLUTION ASKING THAT AIM FUNDING BE RESTORED IN THE NEW YORK STATE'S 2020 BUDGET.

WHEREAS, "Aid and Incentives for Municipal Funding" (AIM) is essential to the Towns and Villages that receive such funding; and

WHEREAS, AIM is key state funding that Local Governments have relied on for years; and

WHEREAS, AIM affects not just Local Governments but the communities that they are located in; and

WHEREAS, Governor Cuomo’s proposed 2020 budget plan eliminates AIM funding for Local Governments that rely upon AIM funding for less than two (2) percent of their budgets; and

WHEREAS, it is believed that such a cut will save New York State \$60,000,000 in its budget but it will dramatically impact 1,328 of New York State’s 1, 465 Towns and Villages; and

WHEREAS, many Local Governments are already struggling financially, especially those in Upstate; and

WHEREAS, Local Governments must create and pass budgets that navigate a number of difficult financial stressors that include; the New York’s Tax cap, increasing health insurance costs, high contribution rates for the New York Retirement System, prevailing wage, competitive bidding and procurement obligations, the Wicks Law, the Taylor Law, Workers Compensation, and a dedicated but an often unionized and civil service protected work force; and

WHEREAS, in addressing its budget and its Local levy, Local Governments must face limited avenues for revenue generation, limited economic development in its boundaries, Payments in Lieu of Taxes, and aging population often on limited incomes, a diminishing population, potential business opportunities that are fleeing high taxes and thus leaving New York State and often unpredictable sales tax distribution and/or generation; and

WHEREAS, the loss of AIM is magnified for those Local Governments which already have all or part of their budgets set; and therefore, be it

RESOLVED, that the Town of Walton and its Town Board on behalf of its residents, recognizes the important role of AIM funding in Local Governments; and be it further

RESOLVED, that the Town of Walton and its Town Board enthusiastically encourages the New York State Governor, the New York State Assembly and the New York State Senate to consider the consequences of the proposed reduction of AIM for Local Governments and demands that such funding be replaced in the Budget; and be it

RESOLVED, that a certified copy of this resolution shall be forwarded to Governor Cuomo, Senator Fred Akshar, Senator Jen Metzger, Senator James Seward, Assemblyman Clifford Crouch, Assemblyman Brian Miller, Assemblyman Chris Tague, the Upstate New York Towns Association, The New York State Association of Towns, New York Conference of Mayors and the Local New Media.

RESOLUTION #43

A RESOLUTION ASKING THAT AIM FUNDING BE RESTORED IN THE NEW YORK STATE’S 2020 BUDGET.

A motion was made by Councilman Govern, seconded by Rodriguez-Betancourt approving and agreeing with the submitted AIM resolution in order for its restoration in the Governor’s budget. All in favor, motion carried.

Supervisor Cetta reported that is was necessary to approve another amendment to the Cell Tower Land Lease Agreement. He stated this was for antenna upgrades.

RESOLUTION #44

CELL TOWER LAND LEASE AGREEMENT

A motion was made by Councilman Armstrong, seconded by Rodriguez-Betancourt granting permission for Supervisor Cetta to sign a cell tower land lease agreement. All in favor, motion carried.

Reported that he received a thank you letter along with a newsletter from the Cornell Cooperative Extension for the member support dues they received from the Town of Walton.

Supervisor Cetta expressed how important and what a great asset to have this organization available to our community.

COUNTY:

Explained that the name Behavior Health came about due to the programs it will encompass. As the project progresses, the name could change. He reported to the Board that it is anticipated that ground breaking will take place in early Spring of 2020. He personally would like to see this moved up.

APPROVAL OF BILLS:

RESOLUTION #45

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	#18-36 -	\$37,038.91
General OV B	#2-3	\$ 709.31
General Hwy DA	#12-24	\$68,857.10
General OV Hwy DB	#1	\$14,778.20

COMMITTEE REPORT:

Councilwoman Wood questioned the status of the bathroom ceiling. I informed her that I reached out to Assemblyman Crouch’s Officer and was told it was still being processed.

I reminded the Board that the snowmobile sign design still needed to be completed and that the Moore Park signs need to be placed when the weather allows.

Councilwoman Wood stated that grant money is available from the Mattern Fund for possible park equipment that she is looking into.

Councilman Govern questioned if anyone objected to the Supervisors position becoming a 4-year term instead of the 2-year term. The Board directed me to reach out to the Board of Elections to obtain information on the process and to include the Highway Superintendent as well.

EXECUTIVE SESSION:

RESOLUTION #46

EXECUTIVE SESSION

A motion was made by Councilman Armstrong, seconded by Wood to enter into executive session for the purpose of contract negotiations, 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 7:50 p.m.

With no further business before the Board, the meeting was adjourned 7:50 p.m.

Respectfully submitted,

Ronda Williams
Town Clerk