

TOWN BOARD MEETING

November 4, 2019

6:00 P.M.

PRESENT:

Councilpersons: Kevin Armstrong, Leonard Govern, Patty Wood, Supervisor Joseph Cetta, Supt. Of Highway Walt Geidel, Attorney Carly Walas and Town Clerk Ronda Williams

ABSENT:

Luis Rodriguez-Betancourt

OTHERS PRESENT:

Greg & Pam Graupman, Lillian Brown – The Reporter, Kent Terchunian

Supervisor Cetta opened the Public Hearing on the proposed Local Law #3 of 2019 A local law to provide for the codification of the local laws, ordinances, and certain resolutions of the Town of Walton.

With no comments, the Public Hearing was closed at 6:05 p.m.

Supervisor Cetta opened the Public Hearing on the 2020 proposed budget.

With no comments, the Public Hearing was closed at 6:10 p.m.

FLOOR TIME:

Mr. Graupman approached the Board requesting to place a peace pole in Veterans Plaza. He explained that the peace pole was established in Japan in 1955 and would have four different languages: Algonquin, Italian, Spanish and English expressing peace.

He further explained that the Wild and Woolly 4-H group would cover the cost of the pole and that it would be up to the Board as to the location of the pole.

Councilwoman Wood was not opposed to the peace pole, but offered Bassett Park, as she felt that would be a better location.

Discussion took place of different options and material and was agreed that the committee would work with the 4-H group to work out the details and bring back to the Board.

Supervisor Cetta thanked Mr. and Mrs. Graupman for there commitment to our community and the leadership they offer to our children.

Mr. Graupman wanted to also bring to the Boards attention the number of unregistered vehicles in the area. Supervisor Cetta stated the Code Enforcement Officer is looking into this.

**RESOLUTION #124**

**APPROVAL OF MINUTES**

A motion was made by Councilman Armstrong, seconded by Govern approving the minutes of October 7 and October 17, 2019 as presented. All in favor, motion carried.

**CODE ENFORCEMENT REPORT:**

Building Permits Issued	5
Building Inspections	19
Notice of Violations	1
Certificates Issued	3
Complaints Received	1

**DOG CONTROL REPORT:**

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

Complaints	6
Dogs Seized	1
Returned to Owner	0
Humane Society	1
Dangerous Dogs	0
Tickets Issued	0
Total Redemption Fees	0
Help Requested	1
Mileage	63 Miles

**ASSESSOR REPORT:**

Penny Haddad, Assessor  
 November 2019  
 Walton Town Board Report

**OLD BUSINESS**

- We need a local law to designate Grievance Day to be held either the Wednesday or Friday after the last fourth Tuesday in May. (Real Property Tax Law Section 512 paragraph 1a.) I spoke with Board of Assessment Review member Stephen Wood, He agreed probably either day Wednesday or Friday would be fine to hold Grievance day.
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## NEW BUSINESS

- Reviewed the process for changing password every sixty days on Citrix property record access system.
- Set up spreadsheets with tax rates to use for estimating taxes on new construction and mortgages for answering questions from property owners, real estate agents, mortgage companies, and other interested parties.
- Downloaded and set-up Microsoft Office Picture Manager used for editing, printing, viewing, and uploading photos and documents to RPSv4 property records.
- Visited and photographed a property at the invitation of the owner requesting a lower assessment. Field reviewed properties on Houck Mountain, Freer Hollow, in the Village, and South River Rd. among others.
- Made address, property location, exemption and assessment changes to the 2020 property records file. Updated property records and assessments on Split and Merged parcels
- Reviewed Town archives in search of farm valuation information. Reviewed soil maps, farm land values, and soil survey. Made standard reports of land values. Reviewed process for agriculture exemption applicants to obtain soil maps and worksheets from Delaware County Soil and Water to submit with agriculture exemption applications.
- Began comparing values of flood properties sold vs. non flood properties sold. Requested permissions from Citrix administration to be able to create and save custom reports to the computer hard drive to use for assessment roll and valuation analysis.
- Began review of conservation water easements law, Watershed Agricultural Council and Catskill Watershed Corporation.

Thank you.

Penny Haddad, Assessor  
Town of Walton  
129 North Street  
Walton, New York 13856

## SUPERINTENDENT OF HWY. REPORT:

Reported on FEMA and reimbursements received and/or still expecting.

Reported that the Woodlawn Project is complete.

Requested to hire an additional wingman, this request was tabled.

Superintendent Geidel expressed his concern with residents not applying for access permits and questioned if the Board would like to pursue further. It was turned over to the Highway Committee.

Reported that two employees are out on medical leave.

Reported that the shops well had gone bad and had to be replaced.

Reported that the waste oil heater that was received for free has been repaired and able to use now.

TOWN CLERK'S REPORT:

Financial Reports will be provided upon completion. This meeting was held prior to the Town receiving the bank statements.

**RESOLUTION #125**

**USE OF FACILITIES**

A motion was made by Councilman Armstrong seconded by Govern to approve Larry Light use of facilities for September 27, 2020 at Veterans Plaza for a Walton Walk for Hunger. All in favor, motion carried.

**RESOLUTION #126**

**USE OF FACILITIES**

A motion was made by Councilman Govern seconded by Wood to approve Kathleen Hayek use of facilities for July 18, 2020 at the Veterans Plaza for a Community Art Festival. All in favor, motion carried.

**RESOLUTION #127**

**USE OF FACILITIES**

A motion was made by Councilwoman Wood seconded by Armstrong to approve Dale Dewing use of facilities for November 29, 2019 at the Veterans Plaza to provide kettle corn for the Holiday Parade. All in favor, motion carried.

SUPERVISOR'S REPORT:

**RESOLUTION #128**

**ADOPT LOCAL LAW #3 OF 2019**

Upon a motion made by Councilman Armstrong, seconded by Wood

**TOWN OF WALTON  
RESOLUTION TO ENACT LOCAL LAW NO. 3-2019**

**WHEREAS** a public hearing was held the 4 day of November, 2019 by the Town Board of the Town of Walton, notice of which was given as required by the Municipal Home Rule Law, the Open Meetings Law and the Town Law of the State of New York;

**WHEREAS** at said public hearing the Town Board considered the enactment of proposed Local Law No.3 2019, entitled A LOCAL LAW TO PROVIDE FOR THE CODIFICATION OF THE LOCAL LAWS, ORDINANCES AND CERTAIN RESOLUTIONS OF THE TOWN OF WALTON INTO A MUNICIPAL CODE TO BE DESIGNATED THE "CODE OF THE TOWN OF WALTON"; and

**WHEREAS** all interested persons were given an opportunity to be heard with respect to the enactment of said local law;

**NOW, THEREFORE, BE IT RESOLVED**, that Local Law No.3-2019 be enacted as follows:

(copy of local law attached)

**VOTE OF TOWN BOARD**

AYE: Armstrong, Govern, Wood, Cetta

NO:

ABSENT: Rodriguez-Betancourt

DATE:

New York State Department of State  
Division of Corporations, State Records and Uniform  
Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY 12231-0001  
[www.dos.ny.gov/corps](http://www.dos.ny.gov/corps)

***Local Law Filing***

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**(Use this form to file a local law with the Secretary of State.)**

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

**Town of Walton**

**Local Law No. 3 of the year 2019**

A local law to provide for the codification of the local laws, ordinances and certain resolutions of the Town of Walton into a Municipal Code to be designated the “Code of the Town of Walton.”

**Be it enacted by the Town Board of the  
Town of Walton as follows:**

**(SEE ATTACHED)  
ARTICLE I  
Adoption of Code**

**§ 1-1. Legislative intent.**

In accordance with Subdivision 3 of § 20 of the Municipal Home Rule Law, the local laws, ordinances and certain resolutions of the Town of Walton, as codified by General Code, and consisting of Chapters 1 through 200, together with an Appendix, shall be known collectively as the “Code of the Town of Walton,” hereafter termed the “Code.” Wherever reference is made in any of the local laws, ordinances and resolutions contained in the “Code of the Town of Walton” to any other local law, ordinance or resolution appearing in said Code, such reference shall be changed to the appropriate chapter title, chapter number, article number or section number appearing in the Code as if such local law, ordinance or resolution had been formally amended to so read.

**§ 1-2. Continuation of existing provisions.**

The provisions of the Code, insofar as they are substantively the same as those of local laws, ordinances and resolutions in force immediately prior to the enactment of the Code by this local law, are intended as a continuation of such local laws, ordinances and resolutions and not as new

enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior local law, ordinance or resolution. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Town Board of the Town of Walton, and it is the intention of said Town Board that each such provision contained within the Code is hereby reaffirmed as it appears in said Code. Only such provisions of former local laws and ordinances as are omitted from this Code shall be deemed repealed or abrogated by the provisions of § 1-3 below.

### **§ 1-3. Repealer.**

- A. Repeal of inconsistent enactments. Except as provided in § 1-4, Enactments saved from repeal; matters not affected, below, all local laws and ordinances, or parts of such local laws or ordinances, inconsistent with the provisions contained in the Code adopted by this local law are hereby repealed as of the adoption and filing of this local law as set forth in § 1-13; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Town of Walton which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. Repeal of specific enactments. The Town Board of the Town of Walton has determined that the following local laws and/or ordinances are no longer in effect and hereby specifically repeals the following legislation:
  - (1) Local Law No. 1-1978, Environmental Quality Review, adopted November 21, 1978.
  - (2) Local Law No. 1-1991, Adoption of Ordinances, adopted June 10, 1991.

### **§ 1-4. Enactments saved from repeal; matters not affected.**

The repeal of local laws and ordinances provided for in § 1-3 of this local law shall not affect the following classes of local laws, ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any right or liability established, accrued or incurred under any legislative provision of the Town of Walton prior to the effective date of this local law or any action or proceeding brought for the enforcement of such right or liability.
- B. Any offense or act committed or done before the effective date of this local law in violation of any legislative provision of the Town of Walton or any penalty, punishment or forfeiture which may result therefrom.
- C. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this local law brought pursuant to any legislative provision of the Town of Walton.
- D. Any agreement entered into or any franchise, license, right, easement or privilege heretofore granted or conferred by the Town of Walton.
- E. Any local law or ordinance of the Town of Walton providing for the laying out, opening, altering, widening, relocating, straightening, establishing grade, changing name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place within the Town of Walton or any portion thereof.
- F. Any local law or ordinance of the Town of Walton appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond of the Town of Walton or other instruments or evidence of the Town's indebtedness.
- G. Local laws or ordinances authorizing the purchase, sale, lease or transfer of property, or any lawful contract, agreement or obligation.
- H. The levy or imposition of special assessments or charges.
- I. The annexation or dedication of property.
- J. Any local law or ordinance relating to salaries and compensation.

- K. Any local law or ordinance amending the Zoning Map.
- L. Any local law or ordinance relating to or establishing a pension plan or pension fund for Town employees.
- M. Any local law or ordinance or portion of a local law or ordinance establishing a specific fee amount for any license, permit or service obtained from the Town.
- N. Any local law or ordinance adopted subsequent to May 13, 2019.

**§ 1-5. Severability.**

If any clause, sentence, paragraph, section, article, chapter or part of this local law or of any local law, ordinance or resolution included in this Code now or through supplementation shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, section, article, chapter or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**§ 1-6. Copy of Code on file.**

A copy of the Code, in loose-leaf form, has been filed in the office of the Town Clerk of the Town of Walton and shall remain there for use and examination by the public until final action is taken on this local law; and, if this local law shall be adopted, such copy shall be certified by the Town Clerk of the Town of Walton by impressing thereon the Seal of the Town of Walton, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this local law, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

**§ 1-7. Amendments to Code.**

Any and all additions, deletions, amendments or supplements to any of the local laws, ordinances and resolutions known collectively as the "Code of the Town of Walton" or any new local laws, ordinances or resolutions, when enacted or adopted in such form as to indicate the intention of the Town to be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements. Whenever such additions, deletions, amendments or supplements to the Code shall be enacted or adopted, they shall thereafter be printed and, as provided hereunder, inserted in the loose-leaf book containing said Code as amendments and supplements thereto. Nothing contained in this local law shall affect the status of any local law, ordinance or resolution contained herein, and such local laws, ordinances or resolutions may be amended, deleted or changed from time to time as the Town Board deems desirable.

**§ 1-8. Code book to be kept up-to-date.**

It shall be the duty of the Town Clerk to keep up-to-date the certified copy of the book containing the Code of the Town of Walton required to be filed in the office of the Town Clerk for use by the public. All changes in said Code and all local laws, ordinances and resolutions adopted by the Town Board subsequent to the enactment of this local law in such form as to indicate the intention of said Town Board to be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes, local laws, ordinances or resolutions until such changes, local laws, ordinances or resolutions are printed as supplements to said Code book, at which time such supplements shall be inserted therein.

**§ 1-9. Sale of Code book; supplementation.**

Copies of the Code, or any chapter or portion of it, may be purchased from the Town Clerk, or an authorized agent of the Clerk, upon the payment of a fee to be set by resolution of the Town Board. The Clerk may also arrange for procedures for the periodic supplementation of the Code.

**§ 1-10. Penalties for tampering with Code.**

Any person who alters or tampers with the Code of the Town of Walton in any manner whatsoever which will cause the legislation of the Town of Walton to be misrepresented thereby, or who violates any other provision of this local law, shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250 or imprisonment for a term of not more than 15 days, or both.

**§ 1-11. Changes in previously adopted legislation; new provisions.**

- A. In compiling and preparing the local laws, ordinances and resolutions for publication as the Code of the Town of Walton, no changes in the meaning or intent of such local laws, ordinances and resolutions have been made, except as provided for in Subsection B hereof. In addition, certain grammatical changes and other minor no substantive changes were made in one or more of said pieces of legislation. It is the intention of the Town Board that all such changes be adopted as part of the Code as if the local laws, ordinances and resolutions had been previously formally amended to read as such.
- B. In addition, the amendments and/or additions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this local law. (Chapter and section number references are to the local laws, ordinances and resolutions as they have been renumbered and appear in the Code.)
- C. Nomenclature. Throughout Chapter 188, Taxation, references to the State Board of Real Property Services are updated to read “Commissioner of Taxation and Finance.”

**§ 1-12. Incorporation of provisions into Code.**

The provisions of this local law are hereby made Article I of Chapter 1 of the Code of the Town of Walton, such local law to be entitled “General Provisions, Article I, Adoption of Code,” and the sections of this local law shall be numbered §§ 1-1 to 1-13, inclusive.

**§ 1-13. When effective.**

This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

(Complete the certification in the paragraph that applies to the filing of this local law and strikeout that which is not applicable.)

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the (Name of Legislative Body) \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the (Name of Legislative Body) \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved) (not approved) (repassed after disapproval) by the (Elective Chief Executive Officer\*) \_\_\_\_\_ and was deemed duly adopted on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the (Name of Legislative Body) \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved) (not approved) (repassed after disapproval) by the (Elective Chief Executive Officer\*) \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the (County) (City) (Town) (Village) of \_\_\_\_\_ was duly passed by the (Name of Legislative Body) \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_, and was (approved) (not approved) (repassed after disapproval) by the (Elective Chief Executive Officer\*) \_\_\_\_\_ on \_\_\_\_\_ 20\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20\_\_\_\_, in accordance with the applicable provisions of law.

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\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**5. (City local law concerning Charter revision proposed by petition.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36) (37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special) (general) election held on \_\_\_\_\_ 20\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20\_\_\_\_ of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph \_\_\_\_\_, above.

\_\_\_\_\_  
Ronda Williams  
Town Clerk

Supervisor Cetta explained that there was a need to correct the DB appropriations and fund balance amounts to correctly show anticipated grant monies. This correction does not impact the DB Fund tax levy amount of \$311,950.00.

**RESOLUTION #129                      ADOPT 2020 BUDGET**

A motion was made by Councilman Armstrong, seconded by Wood to approve and adopt the 2020 Budget as amended. This budget will bring a .28% tax levy increase resulting in \$1,278,75.00 up from \$1,275,160.00 from 2019. Aye: Armstrong, Govern, Wood, Cetta. Nay: 0. Absent: Rodriguez-Betancourt

COUNTY:

Reported that Tweedie Construction has until November 15, 2019 to remove the Breakey Motors building. The must complete date is set for November 30, 2019.

Reported that the Delaware County Stand Down event for all veterans in need will be held November 6, 2019 from 10 a.m. – 2 p.m. in Stamford.

Reported that the Walton Veterans parade will take place on Monday at 10:45 starting from Gardner Place.

COMMITTEE REPORT:

Councilwoman Wood requested the town look into installing a light under the pavilion at Veterans Plaza. The Supervisor suggested having the committee look into the expense and detail and report back to the Board.

Councilman Govern attended a New York Cooperative Liquid Assets Securities System (NYCLASS) information session at the Village of Walton. He explained that this is a local government investment pool that allows municipal corporations to pool funds together to collectively earn interest. It was agreed upon to research this further and to be sure such an investment is accepted by the State Comptroller’s Office.

APPROVAL OF BILLS:

**RESOLUTION #130**

**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	#193-216	\$14,209.45
General OV B	#17-27	\$1,239.40
General Hwy DA	#115-125	\$11,704.77
General OV Hwy DB	#40-45	\$13,222.98

EXECUTIVE SESSION:

**RESOLUTION #131**

**EXECUTIVE SESSION**

A motion was made by Councilman Armstrong, seconded by Govern to enter into executive session for the purpose of a negotiations, all in favor, motion carried.

Entered 7:20 p.m.

Motion by Councilman Armstrong, seconded by Wood to close executive session. All in favor, motion carried.

Out 7:40 p.m.

With no further business before the Board, the meeting was adjourned 7:40 p.m.

Respectfully submitted,

Ronda Williams  
Town Clerk