

TOWN BOARD MEETING

January 11, 2021

6:00 P.M.

PRESENT: Councilpersons: Kevin Armstrong, Leonard Govern, Luis Rodriguez-Betancourt, Patty Wood, Supervisor Joseph Cetta, Supt. Of Highway Jeff Offnick, Attorney Carly Walas and Town Clerk Ronda Williams

OTHERS PRESENT: Graydon Dutcher – Soil and Water Conservation, Lillian Brown – The Reporter, Walter Geidel

Supervisor Cetta gave Grayson Dutcher privilege of the floor. Mr. Dutcher provided an overview and slides on the December 2020 flood event. Mr. Dutcher provided information on comparisons from previous event peak flows, overlay of current flood maps and a hydraulic model inundation map.

Mr. Dutcher indicated that the efforts put forth from the CWC, Delaware County Flood Commission, town and village of Walton in identifying and establishing flood mitigation projects have proven successful. He stated he was hopeful that the mitigation work done on East Brook will result in FEMA updating their flood maps and eventually reducing insurance rate for property owners.

Supervisor Cetta thanked the Flood Commission for working so hard and being so active and stated we can not over estimate the precautions we still need to take.

FLOOR TIME:

None requested

RESOLUTION #27

APPROVAL OF MINUTES

A motion was made by Councilman Rodriguez-Betancourt, seconded by Armstrong approving the minutes of December 14 and December 29, 2020 and January 4, 2021 as presented. All in favor, motion carried.

CODE ENFORCEMENT REPORT:

No report provided

DOG CONTROL REPORT:

Martin J. Way, Jr.
Dog Control Officer, Town of Walton
129 North Street Walton,
New York 13856
December 2020
Dog Control Activity Summary

Dogs Seized		1	
Returned to Owner	0		
Humane Society		1	
Dangerous Dogs		0	
Tickets Issued	4		
Total Redemption Fees		0	
Help Requested		2	
Mileage		59	Miles

ASSESSOR REPORT:

Assessor's Report to Walton Town Board

January 2021

STAR- School Tax Assessment Relief

This is the second year since the State Department of Taxation and Finances Real Property Tax Services Department has taken over verification of the STAR exemption which appears each year on eligible owners' school tax bill.

Everyone who registered providing their social security number, date of birth, income among other things to the Assessor will continue to be automatically eligible for the exemption unless otherwise notified. The State has said they will mail a minimum of two letters requesting additional information if a property owner's eligibility cannot be determined.

The applications that the Assessor can process are for people who are already receiving Basic STAR, are turning 65, and wish to enroll into the Enhanced STAR exemption program. The deadline for this application to be submitted to the Assessor is March 1st. Submit your 2019 income, proof of age, and forms RP-425-E and RP-425-IVP.

If you are a property owner who is new to the STAR program, for instance if you have recently moved, you will be applying for the STAR Credit program, in which a check for STAR savings will be mailed to you. There is an online registration process at www.tax.ny.gov.

The State phone number for questions about your Enhanced Star automatic renewal or for new STAR Credit enrollments is #518-457-2036.

Happy New Year to all!

Respectfully submitted for January 2021.
Penny S. Haddad, Assessor

SUPERINTENDENT OF HWY. REPORT:

- ✓ Northern crushing has completed the processing of our winter abrasive totaling 16,392 cubic yards.
- ✓ We took delivery of the 2016 Eager beaver trailer.
- ✓ The crew remains healthy so far.

- ✓ The crew has been repairing shoulders and other damage from the Christmas day flooding.

TOWN CLERK’S REPORT:

Provided Financial Reports

Reported that I have received the warrant in the amount of \$4,177,334.55 We are once again accepting partial tax payments and I have collected \$523,960.08 or 13% of the levy thus far.

Reported that the cash audits for the Town Clerk/Collector and Justice accounts have been scheduled for January 13, 2021. I will provide the written report when available.

Reported that I have collected \$3,812.25 in vital record fees for the year, up approximately \$600 over last year. We have also collected \$6,706.00 in dog license fees of which \$1,040.00 were late fees. We ended the year with 62 dogs past due and 4 tickets pending. We collected approximately \$2,000 less in dog licenses fee this year than last year.

I recommended that the Board consider a dog enumeration in the Spring to get these numbers back up. However, this will only be successful if the Delaware County Public Health offers free rabies clinics once again. I informed the Board I would contact them to see if a schedule will be available.

I reported to the Board that since participation in the NYSEG Energy Efficient Lighting Program in 2019, we have a clear savings as indicated below.

Highway	KWH	Amount
2018	26,154	\$3,809.70
2019	21,036	\$3,367.19
2020	21,288	\$2,996.07
*Savings	4,866	\$813.63

Town Hall	KWH	Amount
2018	16,939	\$2,499.20
2019	13,858	\$1,995.28
2020	12,221	\$1,825.60
*Savings	4,718	\$673.60

RESOLUTION #28

USE OF FACILITY

A motion was made by Councilman Armstrong, seconded by Wood to approve a use of facilities request by Kiana Beers for the use of More Park on June 26, 2021 from 12:30 to 2:30 p.m. for the purpose of a wedding ceremony.

RESOLUTION #29

2021 ANNUAL AGREEMENT BETWEEN THE DELAWARE COUNTY PLANNING BOARD AND THE TOWN OF WALTON

A motion was made by Councilman Govern, seconded by Armstrong granting Supervisor Cetta permission to sign the agreement with the Delaware County Planning Board authorizing

to provide planning services to the Town of Walton from January 1, 2021 – December 31, 2021.

SUPERVISOR’S REPORT:

Supervisor Cetta made mention to last weeks Reporter article stating the Town has not responded to the Villages request to house the village court at 129 North Street. He informed the Board that he was still waiting for an official correspondence regarding the request and this was something that needed to be in writing, not a verbal conversation.

Supervisor Cetta informed the Board that they still had only received one proposal for a new phone system even after several requests and would now like to move forward with that received proposal. Councilman Armstrong questioned if this was a one-year contract? Supervisor Cetta stated that was correct.

RESOLUTION #30

NET2PHONE SYSTEM

A motion was made by Councilman Govern, seconded by Armstrong granting Supervisor Cetta permission to enter into a contract with Net2phone for a new phone service as presented in the received proposal. All in favor, motion carried.

Lillian Browne from the Reported requested Supervisor Cetta provide the name, address and proposal amount. Supervisor Cetta state he would provide this information to her after the meeting.

With the resignation of Planning Board member Gail Sheridan effective December 31, 2020, it is necessary to replace this position effective January 1, 2021 and to finish out Mr. Sheridan’s term to December 31, 2024.

RESOLUTION #31

APPOINTMENT OF PLANNING BOARD MEMBER

A motion was made by Councilman Armstrong, seconded by Wood to appoint Arthur Munn to the Walton Planning Board effective January 1, 2021- December 31, 2024. All in favor, motion carried.

**AMENDMENT
TO THE**

TOWN OF WALTON HEALTH REIMBURSEMENT ACCOUNT

Town of Walton (the “Employer”) maintains the **Town of Walton Health Reimbursement Account** (the “Plan”) for the benefit of its eligible employees and their dependents and expressly reserves the right to amend the Plan at any time. As such, the Employer desires to amend the Plan to reflect recent changes in applicable law. The Plan is amended, effective, as indicated below, in the following respects:

1. The Plan is being amended to provide coverage for over-the-counter drugs or medications, regardless of whether or not such items have been prescribed, as well as any menstrual care products (as defined in Section 223(d)(2)(D) of the Code).

Notwithstanding any provision of the Plan to the contrary, the Plan will reimburse the above expenses of the Participant or an eligible dependent if they are incurred on or after January 1, 2020, and while the Participant is covered under the Plan, subject to all other provisions of the Plan, such as claim filing deadlines.

2. Effective as of March 1, 2020, the Plan will disregard days occurring during the “Outbreak Period” (as defined below), for purposes of determining the date by which an individual (e.g., a participant, claimant, dependent, qualified beneficiary) has to:

- a. elect to initially enroll in COBRA continuation coverage if the 60-day initial election period otherwise would include any day of the Outbreak Period;
- b. make an initial or any subsequent COBRA premium payment if the time period (including the grace period) for making the COBRA premium payment otherwise would include any day of the Outbreak Period;
- c. provide a required notice to the Plan of a COBRA qualifying event, if the time period for providing the notice otherwise would include any day of the Outbreak Period;
- d. file an initial claim for benefits under the Plan if the timely filing period otherwise would include any day of the Outbreak Period; or
- e. file an internal appeal or external appeal (if applicable) in response to an adverse benefit determination if the time period for filing an internal [or external appeal] otherwise would include any day of the Outbreak Period.
- f. request mid-year enrollment in medical coverage due to a HIPAA special enrollment event where the special enrollment period otherwise would include any day of the Outbreak Period; or
- g. perfect a request for external review (if applicable) in response to a notice that the request is not complete if the time period for perfecting the request otherwise would include any day of the Outbreak Period.

In all cases where a time period referred to in (a)-(g) above began before March 1, 2020, in determining the extended time period based on the above rule, any period of time prior to March 1, 2020 will be subtracted from the time period that would apply without the extension to determine the remaining time frame in which a covered person has to act after the end of the Outbreak Period. For example, for a special enrollment request that is subject to a 30-day 2 special enrollment period, if the special enrollment period started on February 15, 2020, (i) the period from February 15 through February 29 will count as the first 14 days of the 30-day period (leaving 16 days in the special enrollment period), (ii) the entire Outbreak Period will be disregarded and (iii) the special enrollment period will end 16 days after the end of the Outbreak Period.

Coverage with respect to (a) and (c) above, may be retroactive to the date of the qualifying event; provided the covered person makes any required premium payments prior to the end of the extended time period provided for above.

For purposes of this section, the “Outbreak Period” is the period beginning March 1, 2020 and ending 60 days after the announced end of the “National Emergency” described in the next sentence (or on a different date announced by the Internal Revenue Service and the Employee Benefits Security Administration (the “Agencies”)) and will be interpreted to be consistent with the meaning of that term under the Notice issued by the Agencies and published in the Federal Register on May 4, 2020. The “National Emergency” for this purpose is the National Emergency declared on March 13, 2020 (with a March 1, 2020 effective date) as a result of the COVID-19 outbreak. If the National Emergency is determined by the Agencies to end on different dates in different parts of the country, the Outbreak Period will be interpreted to end on the date that is determined by the Plan Administrator to be appropriate for the Plan.

This amendment is hereby adopted by Town of Walton as of the effective date set forth above.
TOWN OF WALTON

RESOLUTION #32

AMENDMENT TO THE TOWN OF WALTON HEALTH REIMBURSEMENT ACCOUNT

A motion was made by Councilman Govern, seconded by Armstrong granting permission for Supervisor Cetta to sign the agreement between the Town of Walton Health Reimbursement Account and the Town of Walton providing additional over the counter drugs or medications. All in favor, motion carried.

RESOLUTION#33

PERMITTING THE TOWN OF WALTON ASSESSOR TO GRANT EXEMPTIONS
PURSUANT TO SUBDIVISION 7, 7-A AND 8 OF SECTION 459-C OF THE REAL
PROPERTY TAX LAW.

I. WHEREAS, on March 7, 2020, Governor Andrew M. Cuomo issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York, and

II. WHEREAS, on December 18, 2020 said declaration was extended to include: Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, which permits the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received that exemption on the 2020 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons, and

III. WHEREAS, the Town is desirous in adopting such resolution while also allowing the assessor to require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died, now, therefore, be it

IV. RESOLVED, that the Town Board is authorized to pass such resolution, and that the assessor is instructed to take any such necessary actions in the above-described directives.

RESOLUTION #33

**PERMITTING THE TOWN OF WALTON ASSESSOR TO
GRANT EXEMPTIONS PURSUANT TO SUBDIVISION 7,
7-A AND 8 OF SECTION 459-C OF THE REAL
PROPERTY TAX LAW.**

A motion was made by Councilwoman Wood, seconded by Rodriguez-Betancourt to grant permission for the Town of Walton Assessor to grant exemptions pursuant to Subdivision 7, 7-A and 8 of Section 459-c of the Real Property Tax Law. All in favor, motion carried.

COUNTY:

Supervisor Cetta reported that as a result of a Mental Health meeting, information was provided on the availability of a COVID -19 vaccine shot. Supervisor Cetta stated residents may call 1-833-697-4829 to schedule an appointment for Delaware Valley Hospital or Tri-Town Hospital to receive the shot.

COMMITTEE REPORT:

No report

APPROVAL OF BILLS:

RESOLUTION #34

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	#1-14	\$ 39,888.56
General OV B	#1	\$3,500.00
General Hwy DA	#1-3	\$1,424.08

EXECUTIVE SESSION:

RESOLUTION #35

EXECUTIVE SESSION

A motion was made by Councilman Govern, seconded by Wood to enter into executive session for the purpose of a negotiations and a matter pertaining to a particular employee. All in favor, motion carried.

Entered 6:51 p.m.

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

Out 7:33 p.m.

With no further business before the Board, the meeting was adjourned 7:33 p.m.

Respectfully submitted,

Ronda Williams
Town Clerk