

TOWN BOARD MEETING

June 14, 2021

6:00 P.M.

PRESENT: Councilpersons: Kevin Armstrong, Luis Rodriguez-Betancourt, Patty Wood, Supervisor Joseph Cetta, Highway Superintendent, Jeff Offnick and Town Clerk Ronda Williams

ABSENT: Leonard Govern, Attorney Carly Walas

OTHERS PRESENT: CEO Steve Dutcher

FLOOR TIME:

None requested

RESOLUTION #76 APPROVAL OF MINUTES

A motion was made by Councilman Rodriguez-Betancourt, seconded by Wood approving the minutes of May 10, 2021 and June 2, 2021 as presented. All in favor, motion carried.

CODE ENFORCEMENT:

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

Monthly Summary Report
Month of May 2021

Building Permits Issued	13
Building Inspections Completed	44
Fire Inspections Completed	0
Notices of Violation Issued	0
Tickets Issued	0
Certificates Issued	7
Complaints Received	0
Floodplain Development	
Permits Issued	1
CO Searches	7

Reported that approximately 30 permits have been issued and some are new house construction. He contributed the low permit number to the current cost of labor.

Councilwoman Wood questioned the property that was logged on South River Road and who would be responsible for the mess that was left behind. After CEO Dutcher received clarification as to where the mess was, it was determined that it is the property owner's responsibility and not the Towns.

Reported that the Planning Board has issued the special use permits and building permit for the solar project.

DOG CONTROL REPORT:

Martin J. Way, Jr.
Dog Control Officer,
Town of Walton
129 North Street Walton, New York 13856
May 2021
Dog Control Activity Summary

Complaints	0
Dogs Seized	1
Returned to Owner	1
Humane Society	0
Dangerous Dog Cases	0
Tickets Issued	0
Total Redemption Fees	\$ 10.00

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ASSESSOR REPORT:

Assessor's Report to Walton Town Board

June 2021

- Grievance Day, May 26th. There were twenty properties for review. It was determined there were 9 decreases, 2 increases due to corrections, and 9 properties were unchanged. After all review there was a net decrease of 273,041 in Town Taxable Value down to 375,772,926. All determination letters were mailed by June 9th.
- The 2021 Final Roll is on schedule to be issued July 1.
- Ongoing work: updating property records, ownership. and sales, data collection of new construction, starting work on 2022 assessments.
- New judicial cases and legislation have been brought to the attention of assessment staff:

Judicial Cases: (a complete list can be found at <https://www.tax.ny.gov/research/property/legal/judicial-cases.htm>)

- Regarding affordable housing: (income tax credits can't be used to influence capitalization rates to increase value) Matter of Cohoes Falls L.P v. Board of Assessment Review at http://www.courts.state.ny.us/reporter/3dseries/2021/2021_03507.htm
- Regarding solar projects: (in NY State solar panels are not personal property they are taxable real property) [Matter of Cornell Univ. v Board of Assessment Review](#) at Matter of Cornell Univ. v Board of Assessment Review (See the [August 2020](#) and [November 2020](#) decisions that the court declined to review.)

Legislation: (a complete list can be found at <https://www.tax.ny.gov/research/property/legal/legis/21bills.htm>)

- Bill S2509-c includes changes to the way Star exemptions and Credits are handled in mobile home parks. I understand Park owners will be asked by the State to provide a list of tenants to verify eligibility for STAR Credits and Exemptions.
- There will be a mandated valuation method for use by Assessors to value wind and solar projects over 1MW. The exact method will be created jointly by New York State Department of Taxation and Finance, the NYS Assessors Association and NYSERDA-NYS Energy Research and Development. It will likely result in lower values than using the replacement cost approach to value currently used for other utilities.
- From Bill S2509-c Part X: “The real property tax law is amended by adding a new section 575-b to read: (in part) ... “The assessed value for solar or wind energy systems, as defined in section four hundred eighty-seven of this chapter, shall be determined by a discounted cash flow approach...”. ... “The provisions of this section shall only apply to solar or wind energy systems with a nameplate capacity equal to or greater than one megawatt.”

Respectfully Submitted for June 2021
Penny Haddad, Assessor

Supervisor Cetta complimented Penny Haddad on all the work she has done and stated she is doing a wonderful job.

FEMA COORDINATOR:

Walter Geidel reported that there was new activity in the FEMA Portal with adjustment to assignees to the Town of Walton and is hopeful we will see some progress. He suggested applying for another extension for the projects that have not been obligated yet.

SUPERINTENDENT OF HWY. REPORT:

Reported that the highway crew has completed 21 miles of road.

Reported that they have started ditch, shoulder and brush cutting work on the roads to be sealed next year.

Reported that the seasonal employees have started mowing the roadsides.

Reported that he would like to surplus the Cat 938G loader, the ford bucket truck, dozer cab, spare rim and tire from the old 12 G grader and relist the plow that did not sell last month.

Reported that due to a change in pricing resulting in additional roads being sealed, there was a need for an amended 284 agreement.

RESOLUTION #77

SURPLUS EQUIPMENT

A motion was made by Councilman Armstrong, seconded by Wood approving the following equipment as surplus by the Highway Department: (1) Cat 938G loader, (1) ford bucket truck, (1) dozer cab, (1) spare rim and tire from the old 12 G grader. All in favor, motion carried.

RESOLUTION #78

AMENDED AGREEMENT FOR EXPENDITURE OF HIGHWAY MONEYS 2021

A motion was made by Councilman Armstrong seconded by Rodriguez-Betancourt approving the Amended Agreement for Expenditure of Highway Moneys for 2021 as submitted by Highway Superintendent Offnick. All in favor, motion carried.

Supervisor Cetta reported that the Town of Tompkins is looking for two summer employees. I suggested that they reach out to the Delaware County Youth Bureau for possible applicants.

TOWN CLERK’S REPORT:

Provided the financial reports

RESOLUTION #79

CORRECT HIRE SUMMER YOUTH SALARY

A motion was made by Councilman Armstrong, seconded by Rodriguez-Betancourt to correct the salary for Kylee Wiggans as a returning summer youth employee to be corrected at the rate of \$13.00/hour for a 13-week period.

RESOLUTION #80

USE OF FACILITIES

A motion was made by Councilman Armstrong, seconded by Wood granting permission for use of Veterans Plaza to the Junior Women Auxiliary on June 27, 2021 for a Junior ALA Summer Social event and waiving the \$50.00 deposit for the organization. All in favor, motion carried.

RESOLUTION #81

USE OF FACILITIES

A motion was made by Councilwoman Wood, seconded by Armstrong granting permission for use of Veterans Plaza to the Walton Chamber of Commerce on June 12, July 10, August 7th and September 4, 2021 for live music events and waiving the \$50.00 deposit for the organization. All in favor, motion carried.

RESOLUTION #82

USE OF FACILITIES

A motion was made by Councilman Armstrong, seconded by Rodriguez-Betancourt granting permission for use of Veterans Plaza to the Cornell Cooperative Extension for every Friday beginning July 2, 2021 through September 24, 2021 for a Farmers’

Market and waiving the \$50.00 deposit for the organization. All in favor, motion carried.

Standard Work Day and Reporting Resolution

BE IT RESOLVED, that the Town of Walton hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Name	SOCIAL	NYSLRS ID	TITLE	CURRENT TERM	STANDARD WORK DAY	RECORD OF ACTIVITIES
Elected Officials						
Jeffrey Offnick			Highway Superintendent	1/1/2021-12/31/2021	8	23.40
Appointed Officials						

On this 14 day of June, 2021 Date enacted: June 14, 2021
 (Signature of clerk)

I, Ronda Williams, clerk of the governing board of the Town of Walton, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 14 day of June, 2021 on file as part of the minutes of I further certify that the full board, consists of 5 members, and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the

 (Name of Employer)

RESOLUTION #83 STANDARD WORK DAY REPORTING RESOLUTION

A motion was made by Councilwoman Wood, seconded by Rodriguez-Betancourt approving the 2021 Standard Work Day and Reporting Resolution. All in favor, motion carried.

SUPERVISOR'S REPORT:

Supervisor Cetta introduced the following two resolutions.

AGREEMENT BETWEEN THE TOWN OF WALTON AND THE VILLAGE OF WALTON FOR THE DEVELOPMENT OF AN OUTDOOR RECREATION PRJOECT

WHEREAS, the Community of Walton has identified a need for the development of an outdoor recreation project within the Village of Walton; and

WHEREAS, the Village of Walton and the Town of Walton have agreed to work together to create a community waterfront recreation area on properties owned by both municipalities; and

WHEREAS, the Village has contracted with the Delaware County Soil and Water Conservation District to complete a flood plain reclamation project which has created a large open space between the Village Center and the West Branch of the Delaware River; and

WHEREAS, the Village of Walton and Town of Walton have worked together to complete a flood mitigation master plan which resulted in a conceptual development plan for the creation of outdoor recreation parks within the Village; and

WHEREAS, the Village has identified an appropriate funding opportunity and intends to apply for funding; and

WHEREAS, the project will create a more enjoyable, sustainable, and walkable community and result in a safer and healthier community; and

WHEREAS, the project will require grant funding in order to bring the project to fruition; and

WHEREAS, applications are being accepted by way of the Consolidated Funding Application for funding requests through the New York State Office of Parks, Recreation, and Historic Preservation, and the Environmental Protection Fund; and

WHEREAS, as a requirement of these programs, said municipality must obtain the approval/endorsement of the governing body of the municipality in which the project will be located.

NOW THEREFORE BE IT RESOLVED, that the Walton Town Board of the Town of Walton does hereby approve and endorse the submission of applications for a grant under the Environmental Protection Fund for an outdoor recreation area to include a boat ramp, exercise/recreation trail, fishing access, and associated amenities within the Village of Walton, Delaware County, New York.

RESOLUTION #84

AGREEMENT BETWEEN THE TOWN OF WALTON AND THE VILLAGE OF WALTON FOR THE DEVELOPMENT OF AN OUTDOOR RECREATION PROJECT

A motion was made by Councilman Armstrong, seconded by Rodriguez-Betancourt granting Supervisor Cetta to enter into an agreement with the Village of Walton for the purpose of approving and endorsing the submission of applications for grants for an outdoor recreation area. All in favor, motion carried.

DELAWARE COUNTY PLANNING DEPARTMENT
POST OFFICE BOX 367
DELHI, NY 13753

An Agreement Between

THE DELAWARE COUNTY
PLANNING DEPARTMENT (the Department)

and the

TOWN OF WALTON (the Community)

This proposal is submitted by the Delaware County Planning Department, hereinafter referred to as the "Department" to the Town of Walton, New York, hereinafter referred to as the "Community". It is our understanding that we will provide landscape architectural services as outlined below for the municipally owned property located on Water Street, Walton, New York.

WHEREAS, the Delaware County Planning Department is authorized to provide Landscape Architectural services to the communities within the county when its services are requested by the municipality, through the Town Planning Advisory Service Program, and to enter into local assistance agreements with communities desiring such services.

WHEREAS, this community hereby requests the Delaware County Planning Board to provide Landscape Architectural services to the community and agrees to appropriate municipal funds for the purposes of these services, as follows.

SCOPE OF SERVICES

Our responsibilities under this agreement will be as follows:

- Preparation of base sheet (s) from client supplied survey and/or other plans.
- Preliminary meeting to discuss design themes and parameters.
- Client conferences and site visits to observe and document existing site conditions.
- Review of pertinent development restrictions and requirements.
- Preparation of layout plans to include:
 - Walkways/trails to connect the Water Street Reclamation project and boat ramp to Bridge Street, Veteran's Plaza, and Delaware Street
 - Passive recreation and site amenities to be determined
 - Grading and drainage for stormwater management.
- Meeting with client/stakeholders to review preliminary plans.
- Finalize plans suitable for the procurement of grant funding and to proceed into final design, permitting and construction.

FEE SCHEDULE

The department will perform the above services for a lump sum as follows.

- I. The total lump sum cost to the community is. \$2,500
- II. For the purpose of providing these funds to carry out the provisions of this **AGREEMENT, IT IS AGREED** that the community will pay to the Delaware County Planning Department the sum of \$2,500.

At the request of the Community, the Department shall provide additional work not listed under "Scope of Services" on an hourly basis. Our hourly rate is: \$60.00/hour.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their representative thereunto duly authorized, as of the day and year as above written.

By: _____ March 23, 2021
(County Planning) (Date)

By: _____ _____
(Municipal Officer) (Date)

RESOLUTION #85

AGREEMENT BETWEEN THE TOWN OF WALTON AND THE DELAWARE COUNTY PLANNING DEPARTMENT FOR LANDSCAPE ARCHITECTUAL SERVICES

A motion was made by Councilwoman Wood, seconded by Rodriguez-Betancourt granting Supervisor Cetta permission to enter into an agreement with the Delaware County Planning Department for Landscape Architectural Services for \$2,500.00. All in favor, motion carried.

Councilwoman Wood questioned if the former Breakey Motors property was part of this plan? Supervisor Cetta stated, no, not at this time.

Supervisor Cetta reported that he will be attending a webinar with T-Mobile to learn more on their Small-Town Grants. He stated that the Town Clerk has applied for this grant with the available funds up to \$50,000.00 for the purpose of placing a foot bridge from the fishing access parking lot over to the Village green space.

Supervisor Cetta informed the Board that he will be attending another American Recovery webinar with the hopes of obtaining clarity as to how the money can be spent.

Reported that DTC will no longer air the Fusion Channel.

Reported that the Town of Walton Planning Board wishes to assume lead agency status for the Finback Farm Brewery as required under Article 8, State Environmental Quality Review (SEQR) Assessment. The Board was in agreement and had no interest in assuming lead agency status and had no issues of concern.

Discussion took place that until the Finback Farm Brewery is completely up and running, they would be able to have a farm stand as that is already a permitted use within our zoning.

Discussion took place on the reopening of the meetings to the public. The Board was in agreement that starting July 12, 2021, the Board will allow the public to attend in person meetings following the CDC guidelines.

Discussion took place concerning the option for towns to opt out of the Adult Use Cannabis Retail Dispensaries and On-Site Consumption Sites within the Town of Walton. Supervisor Cetta received data stating that the revenue is not what is expected in other States and that it only seems to increase the black market as they do not have to pay the sales tax.

Supervisor Cetta also reported data from Colorado concerning a 300% increase in fatalities from motor vehicle accidents contributing from marijuana use.

Councilpersons Rodriguez-Betancourt and Wood expressed their opposition to dispensaries and on-site consumption as well.

The Board was in agreement to move forward with a local law opt out of retail dispensaries and on-site consumption sites and bring back to the July meeting for review and hold a public hearing in August.

COMMITTEE REPORT:

Councilwoman Wood reported that Councilman Rodriguez-Betancourt and herself met at Veterans Plaza to develop a plan as to the location and future design of the area. She stated that Flood Plain Manager Dutcher offered tree locations, but indicated that people were sitting in those areas during that last music event and would suggest placing them elsewhere. She informed the Board that trees would not be planted until the fall now.

Discussion continued with the placement of a monument, walking paths and electric. Councilwoman Wood stated she would finalize the where, what and how and bring back to next month’s meeting.

Councilwoman Wood and Supervisor Cetta commented that the Chamber of Commerce music event was well attended.

Supervisor Cetta informed the Board that he has replaced the flag at Veterans Plaza and will inquire if the Nam Nights would donate another POW flag.

APPROVAL OF BILLS:

RESOLUTION # 86

APPROVAL OF BILLS

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

General Fund A	#77-100	\$21,801.79
General OV B	3-	\$ 695.00
General Hwy DA	#50-62	\$26,439.61
General OV HWY DB	#13-18	\$191,769.85

EXECUTIVE SESSION:

RESOLUTION #87

EXECUTIVE SESSION

A motion was made by Councilman Rodriguez-Betancourt, seconded by Wood to enter into executive session for the purpose of potential litigation, a matter relating to a particular employee and negotiations. All in favor, motion carried.

Entered 7:04 p.m.

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

Out 7:45 p.m.

Following executive session, further business was needed.

Supervisor Cetta informed the Board that two quotes had been received for a generator to be installed at the Town Hall. Lowes submitted a quote for \$9,887.31 and Trimbell Electric LLC for \$11,925.00. After discussion, the Board decided it was in the best interest of the town to have Trimbell Electric LLC install the

RESOLUTION #88

generator as that price included moving the electric meter from the basement to the exterior of the building as it should be.

INSTALLATION OF GENERATOR

A motion was made by Councilman Rodriguez-Betancourt, seconded by Wood awarding the generator install and relocation of the electric meter to Trimbell Electric LLC in the amount of \$11,925.00. All in favor, motion carried.

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

Respectfully submitted,

Ronda Williams
Town Clerk