

TOWN BOARD MEETING

July 11, 2022

6:00 P.M.

PRESENT: Councilpersons: Kevin Armstrong, Patty Wood, Leonard Govern, Supervisor Joseph Cetta, Attorney Carly Walas, Jeff Offnick, Highway Superintendent and Town Clerk Ronda Williams

ABSENT: Luis Rodriguez-Betancourt

OTHERS PRESENT: Rusty & Sharon Way, Becky & Taylor Townsend, Donna Wood, Elizabeth DeFalco- The Reporter, Walter Geidel

Supervisor Cetta opened the meeting with an introduction of retiring highway employee James B. Groat. Mr. Groat has 25 years with the Town of Walton Highway Department and will be retiring on July 29, 2022. Supervisor Cetta and Superintendent Offnick presented Mr. Groat with a certificate of appreciation.

FLOOR TIME:

Becky and Taylor Townsend and Donna Wood approached the Board with a follow up request for Girl Scout Troop 60304 to plant a flower bed at Veterans Plaza in order to obtain their Bronze Award.

Discussion took place and the Supervisor stated he would prefer for the sod to be removed prior to placing the weed block. The Town agreed to purchase the mulch to complete the project.

RESOLUITION #81 APPROVAL OF FLOWER BED AT VETERAN’S PLAZA

A motion was made by Councilman Armstrong, seconded by Govern to grant Girl Scout Troop 60304 to plant a flower bed along the flag pole sidewalk with various bulbs. The Town has agreed to purchase mulch for the project. All in favor, motion carried.

RESOLUTION #82 APPROVAL OF MINUTES

A motion was made by Councilman Govern, seconded by Armstrong approving the minutes of June 13, 2022 as presented. All in favor, motion carried.

ASSESSOR REPORT:

**Assessor’s Report to Walton Town Board
2022**

July

- **Ongoing Work:** exemption processing, property review and data collection, updating property records and assessments, monitoring real estate listings, verifying property sales values, returning phone calls and emails, reviewing Real Property Tax Law, legislation, court cases and legal opinions.
- **The 2022 Final Assessment Roll** was verified and filed June 29th.

- **The 2023 property record file** is active and work on the 2023 assessment roll has begun.
- **FYI:** “Understanding the Equalization Rate” and “Equalization Rates” attached. URL to statewide equalization rates:
<https://www.tax.ny.gov/research/property/assess/eqratescounty.htm>
- **2022 Homeowner Property Tax Rebate checks**
<https://www.tax.ny.gov/pit/property/homeowner-tax-rebate-credit.htm>
Some checks have already been mailed. There is no need to apply, this is an automatic rebate.
- **Property Owner Hotline Numbers**
Star Credit: **518-457-2036**
Homeowner Property Tax Rebate Check: **518-453-8146**
- **Resources and records online:**
 - Department of Taxation and Finance Municipal Profiles
<http://orps1.orpts.ny.gov/cfapps/MuniPro/>
 - Delaware County Real Property Tax Services
<http://www.co.delaware.ny.us/departments/tax/tax.htm>

Respectfully submitted July 2022

Penny Haddad, Assessor

Supervisor Cetta stated that the equalization rate is now down to 85%.

CODE ENFORCEMENT REPORT:

Town of Walton
Code Enforcement Office
Jonathan R Henderson

Monthly Summary Report
Month of June 2022

Building Permits Issued	2
Building Inspections Completed	14
Fire Inspections Completed	1
Notices of Violation Issued	0
Tickets Issued	0
Certificates Issued	4
Complaints Received	0
Floodplain Development Permits Issued	0

CO Searches

1

DOG CONTROL REPORT:

Martin J. Way, Jr. Dog Control Officer
Town of Walton
129 North Street
Walton, New York 13856
June 2022 Dog Control Activity Summary

Complaints	4
Dogs Seized	0
Returned to Owner	0
Humane Society	0
Dangerous Dog Cases	0
Assistance	1
Tickets Issued	8
Total Redemption Fees	\$ 0.00

Mileage 5 Miles

FEMA COORDINATOR:

TOWN OF WALTON
FEMA COORDINATOR REPORT
JULY 11, 2022

Project # 151549, PW#00462, “Management Costs” has been obligated.
Project # 83449, PW #00078, “Integral Road Support Washout on Houck Mt. & Wakeman Brook” has been obligated.
Project #83441, PW#00265, “Woodlawn Road Integral Support Failure”, has moved from “Pending FEMA Final Review” to “Pending Recipient FEMA Final Review”.

Mr. Geidel questioned if any funds have been received, I responded not as of this evening.

SUPERINTENDENT OF HWY. REPORT:

Reported that the mowing crew has completed the first round of mowing.

Reported that the crew has finished the grader patch work on the roads that they intend to seal next year.

Reported that he has not received much interest in the current positions available.

Reported that he continues to work on gravel bank permit issues and hopes to have them resolved soon.

Reported that he has been contacted about hauling millings for work to be done by the State along State Route 10. He will look for the best place to store them.

TOWN CLERK'S REPORT:

RESOLUTION #83 USE OF FACILITY

A motion was made by Councilman Govern seconded by Wood granting the Walton Lions use of the Veterans Plaza on August 13, 2022 for the purpose of a car cruise/ vendor display from 10:00 a.m. – 9:00 p.m. All in favor, motion carried.

RESOLUTION #84 USE OF FACILITY

A motion was made by Councilman Govern seconded by Armstrong granting the Walton Chamber of Commerce use of the Veterans Plaza on August 6, 2022 for the purpose of a Jason Wicks Concert from 5:00 p.m. – 8:00 p.m. All in favor, motion carried.

RESOLUTION #85 USE OF FACILITY

A motion was made by Councilman Armstrong seconded by Govern granting the Walton Chamber of Commerce use of the Veterans Plaza on September 3, 2022 for the purpose of a Party on the Plaza/ Marketplace/Bands from 8:00 a.m. – 8:00 p.m. All in favor, motion carried.

RESOLUTION #86 USE OF FACILITY

A motion was made by Councilman Armstrong seconded by Govern granting the Walton Chamber of Commerce use of the Veterans Plaza on October 8, 2022 for the purpose of a Leaf Peaking/Marketplace from 10:00 a.m. – 4:00 p.m. All in favor, motion carried.

**2022 Occupancy Tax Recipient Contract
Community Celebrations**

THIS CONTRACT, entered into this 11 day of July, 2022 by and between the Delaware County Local Development Corporation, with offices at One Courthouse Square, Suite 4, Delhi, New York 13753 (the "LDC") and **The Town of Walton**, with offices at 129 North Street, Walton, NY 13856 (the "Recipient").

WITNESSETH THAT:

WHEREAS, Delaware County has entered into an administrative agreement with the LDC for the purposes of the execution and administration of contracts pertaining to the disbursement of occupancy tax funds, as well as the initial funding of such contracts.

NOW THEREFORE, in consideration of the mutual covenants herein contained, the parties do mutually agree as follows:

SECTION 1. REPRESENTATIONS

Representations by the LDC: The LDC represents that it is acting as legal agent for the County and has full power and authority to consummate all transactions contemplated by this Agreement.

Representations by the Recipient: The Recipient is validly existing and in good standing under the laws of the State of New York, has the power and authority to carry on its business as now being conducted by it, to execute, deliver and perform this Contract and is duly authorized to enter into and perform this Contract.

SECTION 2. OBLIGATIONS OF THE RECIPIENT

In return for the stated amount contained in Section 3 of this contract, the Recipient hereby agrees to the following:

1. Recipient shall undertake and complete the Project as proposed and summarized below:

This project entails the utilization of **\$1,500** of occupancy tax funds for the promotion of the Town of Walton 225th Anniversary Celebration.

2. Recipient agrees to comply with all Federal, State and local laws and regulations relating to the Project.
3. Recipient shall provide the LDC with proof of project completion, and/or notice of project occurrence (in the case of an event), in order for the LDC, or a designee, to evaluate the effectiveness of the project, as may be appropriate.
4. Recipient shall, upon project completion, submit to the LDC a detailed financial report that will include a summary of **ALL** project revenues and expenditures, along with appropriate documentation (receipts, proof of payment, bank statements, etc.). Expenditure documentation should include grant and matching expenses. Please note that we need proof of payment for the **TOTAL** Project Cost. Sufficiency of information provided by the Recipient shall be determined by the LDC.
5. Recipient shall, upon project completion, submit to the LDC a report on the success of the project. Such report should provide quantitative as well as qualitative measurements of the results/impact of the project including survey results, statistics and/or other compiled data. To the extent practicable, grant recipients are required to provide data demonstrating the impact of their project on the tourism industry. Sufficiency of information provided by the Recipient shall be determined by the LDC.

SECTION 3. CONTRACT AMOUNT

The LDC shall pay to the Recipient, upon contract execution, the amount of **\$1,500** for the performance of the Recipient's obligations as outlined in Section 2.

SECTION 4. EFFECTIVE DATE AND TERM

This Contract shall become effective upon its execution and shall remain in effect until the Recipient has substantially met the obligations outlined in Section 2.

SECTION 5. INDEMNIFICATION – LDC & COUNTY

To the fullest extent permitted by law, the Recipient shall defend, indemnify and hold harmless the LDC and Delaware County, its agents and employees from and against any and all claims, actions, damages, losses, expenses and costs of every nature and kind, including reasonable

attorneys' fees, incurred by or asserted or imposed against the LDC and County arising out of their involvement in the funding of the project.

SECTION 6. AMENDMENTS

This Contract may be amended only by the written consent of the LDC and the Recipient.

RESOLUTION #87 2022 OCCUPANCY TAX RECIPIENT CONTRACT COMMUNITY CELEBRATIONS

A motion was made by Councilman Armstrong, seconded by Govern to approve and agree to the 2022 Occupancy Tax Recipient Contract Community Celebrations Agreement and accept the awarded amount for \$1,500. All in favor, motion carried.

RESOLUTION #88 AGREEMENT BETWEEN THE TOWN OF WALTON AND THE HUMANE SOCIETY

A motion was made by Councilman Govern seconded by Wood approving the annual agreement between the Humane Society of Central Delaware County (HCHS) and the Town of Walton for the handling and turning over of any dog to the HCHS for a fee of forty dollars (\$40.00). All in favor, motion carried.

Provided financial reports.

SUPERVISOR'S REPORT:

Supervisor Cetta introduced Local Law #1 of 2022 and Local Law #2 of 2022. A local law to for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36. As well as a Local Law to repeal Local Law #1 of 2012 entitled a Local Law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation law, Article 26.

**RESOLUTION No. 89 of 2022
INTRODUCING A LOCAL LAW
REGARDING**

Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36

At a meeting of the Town Board of the Town of Walton, Delaware County, New York, held at 129 North Street, Walton, New York, on the 11th day of July, 2022, there were:

Supervisor Joseph Cetta Present
Councilman Leonard Govern Present
Councilman Luis Rodriguez-Betancourt / Not Present
Councilman Kevin Armstrong Present
Councilwoman Patricia Wood Present

Councilperson Wood offered the following resolution and moved for its adoption:

BE IT RESOLVED that an introductory Local Law entitled "Local Law #1 of 2022 **Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36**" is hereby introduced before

the Town Board of the Town of Walton, Delaware County, New York pursuant to authority under the New York State Constitution, the provisions of § 10 of the New York State Municipal Home Rule Law, § 10 of the New York State Statute of Local Governments, and the New York State Town Law;

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law be laid upon the desk of each member of the Board;

BE IT FURTHER RESOLVED that the Board hold a public hearing on said proposed local law at 129 North Street, Walton, New York, at 6:00 pm on August 8, 2022;

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the Town of Walton of said public hearing at least five (5) days prior thereto;

BE IT FURTHER RESOLVED that the Town Supervisor or his designee is authorized to prepare the Environmental Assessment Form under the State Environmental Quality Review Act, and its implementing regulations;

BE IT FURTHER RESOLVED that the Town Supervisor or his designee is to provide notice, if required, under GML § 239-m to Delaware County Planning Board and abutting municipalities under Town Law § 264; and

BE IT FURTHER RESOLVED that the Town Supervisor or his designee is authorized to take any other action required under law in furtherance of this resolution and passage of the proposed local law.

On a motion by Councilperson Wood, seconded by Govern, the resolution was adopted on a roll call vote, the results which follow:

Supervisor Joseph Cetta Aye
Councilman Leonard Govern Aye
Councilman Kevin Armstrong Aye
Councilwoman Patricia Wood Aye

Adopted this 11th day of July 2022.

TOWN OF WALTON

LOCAL LAW NO. 2 OF THE YEAR 2022

A Local Law Repealing Local Law #1 of 2012 entitled A Local Law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation law, Article 36

BE IT RESOLVED that an introductory Local Law entitled “Local Law #2 of 2022 **A Local Law Repealing Local Law #1 of 2012 entitled A Local Law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation law, Article 36** is hereby introduced before the Town Board of the Town of Walton, Delaware County, New York pursuant to authority under the New York State Constitution, the provisions of § 10 of the New York State Municipal Home Rule Law, § 10 of the New York State Statute of Local Governments, and the New York State Town Law;

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

Section 1. Authority

This Law is enacted pursuant to the authority granted under Section 10 of the Municipal Home Rule Law.

Section 2. Repealer

The following Local laws and all amendments thereto are hereby repealed:

Local Law No. 1 of 2012, entitled A Local Law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation law, Article 36.

Section 3. Effective Date

This Local Law shall take effect upon the date it is filed in the Office of the New York Secretary of State.

RESOLUTION #89

TO HOLD A PUBLIC HEARING ON LOCAL LAW 1 OF 2022 AND LOCAL LAW 2 OF 2022.

A motion was made by Councilman Govern, seconded by Armstrong approving to hold a public hearing on August 8, 2022 for any persons wishing to speak in favor or against proposed Local Law 1 of 2022 and Local Law 2 of 2022. All in favor, motion carried.

Supervisor Cetta presented a proclamation to the Board for consideration. This was in reference to the proclamation that was tabled at the June 13, 2022 meeting.

EQUALITY MONTH PROCLAMATION

WHEREAS, the Town Board of the Town of Walton recognizes and proclaims the month of June 2022 as “Equality Month” throughout the Town of Walton; and

WHEREAS, all human beings are born free and equal in dignity and rights; and

WHEREAS, the Town of Walton is committed to supporting visibility, dignity and equality for all people in our diverse community; and

WHEREAS, this nation was founded on the principle that every individual has infinite dignity and worth, and the Town of Walton calls upon the people of this municipality to embrace this principle and work to eliminate prejudice everywhere it exists; and

WHEREAS, celebrating Equality Month influences awareness and provides support and advocacy for the inclusion of all members of the community, and is an opportunity to take action and engage in dialogue to strengthen alliances, build acceptance and advance equal rights.

NOW, THEREFORE BE IT RESOLVED that Town of Walton hereby proclaims the month of June 2022 as Equality Month.

Councilwoman Wood wanted to change the month to July, Councilman Govern stated he felt it should remain June. Councilman Armstrong clarified that the Board had told the individual that we would bring it back retroactively.

RESOLUTION #90

EQUALITY MONTH PROCLAMATION

A motion was made by Councilman Govern, seconded by Armstrong to accept the proclamation and declare the month of June 2022 as Equality Month for the Town of Walton. Vote: Aye- Armstrong, Govern, Cetta. Nay – Wood. Motion carried.

COMMITTEE REPORT:

I reported that the 225th Anniversary Committee will hold another meeting on July 14, 2022. We will be wrapping up the final plans, the posters have been distributed to business owners for participation and advertising of the day’s events. We look forward to working with the Antique Tractor Association, 4-H groups as well as the Walton Community Band.

Councilman Govern informed the Board that the previous surplus vehicle had extended their life expectancy and the Town Highway Department is in need of replacement pickup trucks. He suggested Councilman Armstrong be on the lookout for replacements on the surplus website.

APPROVAL OF BILLS:

RESOLUTION #91

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	#95-135	\$10,659.27
General OV B	#10-	\$
General Hwy DA	#60-65	\$ 2.834.75
OV HWY DB	#16-22	\$44,397.57

With no further business before the Board, the meeting was adjourned 6:40 p.m.

Respectfully submitted,

Ronda Williams
Town Clerk