

TOWN BOARD MEETING

April 10, 2023

6:00 P.M.

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

OTHERS PRESENT: Rusty and Sharon Way, Kathleen and Ted Hayek, Walt Geidel, Pastor Christine Lindeberg and Mel Steinbrecher – The Reporter,

PUBLIC HEARING:

Supervisor Cetta opened the Public Hearing for those wishing to speaking in favor or against the revised Tax Exemption for Persons 65 Years of Age or Older.

No comments

Public Hearing was closed at 6:03.

FLOOR TIME:

Kathleen Hayek questioned where the video is for the meeting? She stated she is formally requesting to have the meetings recorded. Supervisor Cetta stated her requested is duly noted.

Councilwoman Wood stated the Town use to have coverage but the students had graduated and they have not found a replacement yet.

RESOLUTION #44

APPROVAL OF MINUTES

A motion was made by Councilwoman Wood, seconded by Govern approving the minutes of February 13, 2023 as presented. All in favor, motion carried.

ASSESSOR REPORT:

March 2023

Assessor's Report to Walton Town Board

There were 173 phone calls and numerous emails and office visits between 2/28 and 3/8 to enroll property owners into exemptions.

We added around 65 Enhanced Star exemptions to the property records, and still have to process the 55 senior exemption applications. Which will be added to the property records as soon as the amended 467 law is completed and the computer property record database is updated with the new values.

There were also 93 agriculture exemptions, 86 forest exemptions, and 13 senior partial renewals processed.

The equalization rate for 2023 is reduced to 77% from 85% due to increases in real estate market values. Some towns have dropped further than that and some not

as much. The effect on the apportionment of County tax cannot be known until taxing jurisdictions budgets are determined, new assessments are made, and all towns have received a final equalization rate.

People who had incomplete information or filed too late to be included in the STAR exemption for this year were mailed an RP-425-GC form. That is a late for good cause application for STAR. I have never seen a request for granting the late application turned down, if the property is in fact eligible for the exemption. The form can be easily found online by searching for RP-425-GC. Your assessor should also be able to supply this form. Be sure to get the instructions RP-425-GC-I also which have the mailing address to send the application to. Do not turn this form into your local assessor.

Thank you.
Respectfully submitted
March 8, 2023

CODE ENFORCEMENT:

Town of Walton
Code Enforcement Office
Jonathan R. Henderson

Monthly Summary Report
Month of February 2023

Building Permits Issued	4
Building Inspections Completed	21
Fire Inspections Completed	1
Notices of Violation Issued	0
Tickets Issued	0
Certificates Issued	3
Complaints Received	1
Floodplain Development	
Permits Issued	0
CO Searches	0

DOG CONTROL REPORT:

Martin J. Way, Jr.
Dog Control Officer, Town of Walton
129 North Street Walton,
New York 13856
February 2023
Dog Control Activity Summary

Complaints	6
Dogs Seized	1
Returned to Owner	0
Humane Society	1
Dangerous Dogs	0

Tickets Issued	9
Total Redemption Fees	\$0.00
Assistance, Police	2

Mileage 52 Miles

Martin J. Way, Jr
 Dog Control Officer, Town of Walton
 129 North Street
 Walton, New York 13856
 March 2023
 Dog Control Activity Summary

Complaints	1
Dogs Seized	1
Returned to Owner	0
Humane Society	1
Dangerous Dog Cases	0
Tickets Issued	1
Assistance	2
Total Redemption Fees	\$

Mileage 55 Miles

Supervisor Cetta stated he had received a satisfactory inspection report on the Dog Control Officer and truck inspections.

FEMA COORDINATOR:

**TOWN OF WALTON
 FEMA COORDINATOR REPORT
 DR-4397
 March 13, 2023**

Project #83441, PW#00265, “Woodlawn Road Integral Support Failure”, has had some movement since my last report. NYS Homeland Security has informed us that FEMA has responded to a request they made. Homeland Security notified us on March 1, 2023:

“I am writing to inform you that the Federal Emergency Management Agency (FEMA) agrees with the final payment request for this project in the amount of \$161,040.42.”

Rayana Gonzales
 Deputy Commissioner for Disaster Recovery Programs
 Alternate Governor’s Authorized Representative

On February 21, 2023, FEMA notified NYS Homeland Security:
 “In a request dated January 3, 2023, you recommend FEMA close the project identified above. FEMA approves your request and will close PW 265, as written. The Recipient and Sub recipient certified the project is complete and accounted for a total project cost of \$161,040.42. My team reviewed your request, and determined it meets FEMA’s regulatory and policy requirements. FEMA will close this PW in the system of record, where more detailed information associated with this action is available for review.”

Carlton Yedinak
 Section Chief Region 2
 Public Assistance

This should mean the “check is in the mail”. The \$161,040.42 amount is broken down as Federal share of \$120,780.32, the State share of \$20,130.05 and the local share of \$20,130.05. The expected reimbursement amount from Federal and State is \$140,910.37.

The only Project not closed out is Project #151549, PW#00462, "Management Costs". This is a category "Z" projects and could not be closed out until all others are officially closed out. All category "C" projects are now closed out. I hope PW#00462 moves to "closed out" soon. Currently PW#00462 is obligated for \$20,119.04. Our actual documented amount is \$27,057.08. This is 100% Federal reimbursement. Time will tell.

Supervisor Cetta thanked Walt for a phenomenal job with the FEMA projects.

SUPERINTENDENT OF HWY. REPORT:

TOWN OF WALTON HIGHWAY DEPARTMENT
25091 STATE HIGHWAY 10
WALTON, NY 13856
607-865-5120

TO: WALTON TOWN BOARD
FROM: JEFF OFFNICK, HIGHWAY SUPERINTENDENT
DATE: 4/10/2023
RE: REPORT

- ✓ We have received bids for our crushed stone products as well as large excavator with operator.
- ✓ As per article 6 of the union contract, the crew and myself have decided to utilize the four ten-hour day work week starting 4/10/23 through 9/1/2023, he noted that they have been cutting a lot of brush.
- ✓ We have spread a total of 2,288 cubic yards of material this winter.
- ✓ He requested to list truck #6 on Auctions International and a 2008 truck that is no longer in use as surplus.

RESOLUTION #45

SURPLUS TRUCKS

A motion was made by Councilman Armstrong, seconded by Govern to surplus a 2003 International and 2008 Chevy Silverado as no longer usable by the Town of Walton Highway Department and list on Auctions International. All in favor, motion carried.

2023 BID SHEET													
BIDDER	1-A's	1-B's	1st	#1	#2	Process Gravel	Process Winter	Crusher Run					
	Ton Deli	Ton/Yd	Ton/Yd	FOB	Delivered	FOB	Delivered						
Carver	\$30.00	\$25.00	\$25.00	\$25.00	\$25.00								
Cobleskill	\$29.95	\$24.95	\$24.95	\$24.95	\$24.95								
Cobleskill													
Robinson													
Northern Clark County						\$9.00							
POLY PIPE PRICE PER FOOT PLAIN END													
	12"	15"	18"	24"	30"	36"	42"	48"	60"	Note*	Did not request Used Steel Pipe Bids		
Chemung													
TCBR													
POLY PIPE COUPLER													
TCBR										*	USED STEEL PIPE		
Chemung													
County													
CORRUGATED METAL PIPE PRICE PER FOOT													
	10"	12"	15"	18"	24"	30"	36"	42"	48"	60"	SUCCESS AWARDED BIDS		
Chemung											Cobleskill	1A	
TCBR											Cobleskill	1B	
											Cobleskill	1ST	
											Cobleskill	#1	
											Cobleskill	#2	
Chemung											Northern	Process Gravel	
TCBR												Process Winter	
												Crusher Run	
												Poly Pipe	
												Corrugated Pipe	
											Robinson	Excavator w/ Oper	
Excavator w/ Operator													
Bidder	Make	Model	Bucket	HP	Weight	Price/Hr							
Robinson	Cat	325CL	1.5CU	190	60,000	\$220.00							
LaFever	Komatsu	290		197	67,396	\$246.87	based on 8 hr day						

RESOLUTION #46

AWARD 2023 HIGHWAY BIDS

A motion was made by Councilman Armstrong, seconded by Rodrigues-Betancourt to accept the 2023 Highway bids as submitted with Cobleskill Stone, Northern and Robinson Brothers as the responsible low bidders. All in favor, motion carried.

TOWN CLERK'S REPORT:

Provided Financial Reports

I provided an updated ARPA report to the Board. We currently have spent \$87,809.91 of \$233,640.31 awarded.

DATE	CHECK #	COMPANY	RIVER WALK	COLD STORAGE	GENERATOR	VETERANS PLAZA
ARPA			3/3/21-12/31/2024			
BUDGET			\$233,640.31	\$70,640.31	\$120,000.00	\$40,000.00
6/14/2022	9579	MY CUSTOM CASTING				\$1,446.95
8/2/2022	9632	REN REYNOLDS CONSTR		\$48,070.00		
8/8/2022	9641	REN REST	\$483.56			
9/12/2022	9648	ALPINE	\$458.53			
9/12/2022	9668	OTSEGO READY MIX	\$520.00			
9/12/2022	9674	REN REST	\$536.99	\$250.39		
9/12/2022	9669	OVERKILL EQUIP	\$3,500.00			
9/12/2022	9659	JESS F. HOWES		\$539.38		
10/5/2022	9699	UPSTATE STRAY FOAM		\$13,310.00		
10/19/2022	9700	MCQUADE & BANNIGAN		\$725.00		
11/15/2022	9722	JESS F. HOWES		\$911.76		
12/13/2022	9762	UPSTATE SPRAY FOAM		\$7,925.00		
2/13/2023	9813	STEEL SALES INC.		\$8,870.92		
3/13/2023	9826	REN REST		\$261.43		
TOTALS			\$5,499.08	\$80,863.88	\$0.00	\$1,446.95
BALANCE			\$65,141.23	\$39,136.12	\$40,000.00	\$1,553.05

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

TO: Town Board Members
FROM: Ronda Williams, Record Management Officer
DATE: March 24, 2023
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

2004-2020 Notice of Violation of Animal Control Law or Ordinance 3 years

RESOLUTION #47

Motion made by Councilman Armstrong, seconded by Wood

Roll call vote:

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

Reported that we have collected \$3,743,868.40 (87%) and second notices have been mailed out for those that have not paid their taxes yet.

RESOLUTION #48

USE OF FACILITY

A motion was made by Councilman Govern, seconded by Rodriguez-Betancourt granting the Chamber of Commerce use of Veterans Plaza on May 5th, June, 6th, July 7th, August 4th and September 1st. for the purpose of holding a pop- up market place. All in favor, motion carried.

RESOLUTION #49

USE OF FACILITY

A motion was made by Councilman Govern, seconded by Rodriguez-Betancourt granting the Chamber of Commerce use of Veterans Plaza on July 15, 2023. for the purpose of holding a market place from 10:00 – 3:00 p.m. All in favor, motion carried.

RESOLUTION #50

USE OF FACILITY

A motion was made by Councilman Govern, seconded by Rodriguez-Betancourt granting the Chamber of Commerce use of Veterans Plaza on September 2, 2023. for the purpose of holding

a Party on the Plaza from 10:00 – 3:00 p.m. All in favor, motion carried.

RESOLUTION #51 USE OF FACILITY

A motion was made by Councilman Govern, seconded by Rodriguez-Betancourt granting the American Legion Auxiliary use of Veterans Plaza on April 29, 2023. for the purpose of holding a Walkathon and Bake Sale on the Plaza from 12:00 – 3:00 p.m. All in favor, motion carried.

SUPERVISOR’S REPORT:

RESOLUTION #52 TAX EXEMPTION FOR PERSON 65 YEARS OF AGE OR OVER

WHEREAS, the Town of Walton (hereinafter the “Town”) on December 12, 2016 approved to offer a Real Property Tax Exemption for residents 65 and older in the Town effectively protecting the most vulnerable of this Town’s citizens;

WHEREAS, the Town has since determined the current exemption is inadequate and therefore, wish to increase the current income levels by 20%

BE IT RESOLVED, that pursuant to the authority granted by Sec. 467 of the Real Property Tax Law, real property within the Town of Walton owned by one or more person, as their primary residence, each of who is 65 years of age or over, or real property within the Town of Walton owned by a husband and wife, as their primary residence, one who is 65 years of age or over, shall be exempt from Town tax levy according to the following schedule based on income of the owner or combined income of the owners of the property for the tax year immediately preceding the date of application:

Income \$13,900 or less	50% exemption
Income more than \$13,900 but less than \$14,900	45% exemption
Income more than \$14,900 but less than \$15,900	40% exemption
Income more than \$15,900 but less than \$16,900	35% exemption
Income more than \$16,900 but less than \$17,800	30% exemption
Income more than \$17,800 but less than \$18,700	25% exemption
Income more than \$18,700 but less than \$19,600	20% exemption
Income more than \$19,600	NO exemption

BE IT FURTHER RESOLVED, a Public Hearing was held on April 10, 2023 for anyone wishing to speak in favor or against the proposed resolution.

BE IT FURTHER RESOLVED that all of the provisions of Sec. 467 of the Real Property Tax Law shall apply in the administration and interpretation of this resolution and such exemption shall not be granted unless the applicant qualified thereunder.

A motion was made by Councilman Armstrong, seconded by Govern.

	Aye	Nay
Supervisor Cetta	<u> X </u>	_____
Board Member Armstrong	<u> X </u>	_____
Board Member Rodriguez-Bentancourt	<u> X </u>	_____
Board Member Govern	<u> X </u>	_____
Board Member Wood	<u> X </u>	_____

WHEREAS, in the Spring of 2022 the New York State Department of Health (DOH) released for comment a draft Revised Filtration Avoidance Determination (FAD) as part of the mid-term review of the 2017 FAD; and

WHEREAS, the West of Hudson Communities (including, but not limited to, the Coalition of Watershed Towns, Delaware, Greene, and Schoharie Counties, the Towns of Windham, Ashland, Lexington, Prattsville, Jewett, Olive, Shandaken, Conesville, Gilboa, Roxbury, Middletown, Andes, Bovina, Stamford, Kortright, Tompkins, Harpersfield, Walton, Delhi,) submitted comments/Board resolutions to DOH (the “West of Hudson Communities Comments”) which focused upon (1) the need to end the core land acquisition program as recognize in the 2020 findings of the National Academies of Sciences, Engineering and Medicine (NASEM) of its study of the watershed protection program; (2) the need to revise the Streamside Acquisition Program (SAP) to require local governments consent for participation in the program; (3) support for a community based streamside protection program in which the land owners are compensated for stewardship; (4) a requirement that the Conservation Easement granted by the City to NYSDEC for all fee acquisitions be modified to incorporate the requirements and the objectives of the 1997 Memorandum of Agreement (“MOA”) ; and (5) assure greater compliance by New York City with its MOA obligations as exemplified by the 2022 dispute regarding the acceptance of septage waste at City-owned wastewater treatment plants and a sustainable contract administration process and

WHEREAS, in December 2022 DOH issued the final Revised FAD (together with a Comment/Response Document) which directly incorporated and responded to the West of Hudson Comments and specifically stated as follows:

- (1) “NYSDOH agrees that strategic, well-reasoned acquisition of water quality protective parcels should be the focus of the LAP, while allowing future community growth to occur in a manner that is consistent with the existing character and planning goals of each of the Watershed communities.”
- (2) **“NYSDOH agrees that changes to core LAP are necessary in the West of Hudson watershed, as guided by the recommendations of the NASEM expert panel. The program should be focused on the most sensitive areas for water quality protection, including floodplains, riparian areas, wetlands, and steep slopes. NYSDOH agrees that both the Long-Term Land Acquisition Plan and the successor Water Supply Permit should be shaped by the NASEM Expert Panel recommendations and stakeholder input.”**
- (3) “The reduction in LAP solicitation goal from 300,000 acres to 200,000 acres through 2024 is based on recommendations of the NASEM Expert Panel as well as stakeholder input. Solicitation beyond 2024 is contingent upon re-issuance of a WSP authorizing continuation of the LAP beyond 2025.”
- (4) NYSDOH understands that there are several areas of interest that stakeholders have regarding the current and future implementation of SAP. NYSDOH encourages stakeholders to engage in productive discussions with the City and CCCD to integrate common-sense program modifications **which will position SAP to operate with wide-spread municipal support in the future.** To encourage the resolution of these issues, the Revised 2017 FAD now includes a requirement for a dedicated SAP workgroup and a specific reporting requirement on the workgroup’s recommendations. While the determination for the expansion of the Pilot SAP to the remainder of the WOH watershed has not yet been made by NYSDEC, as described in Special Condition 29 paragraph (f), NYSDOH notes that paragraph (f) states that “Such written determination shall include addressing NYCDEP recommendations.”
- (5) “Under the Conservation Reserve Enhancement Program (CREP), administered by the US Department of Agriculture’s Farm Service Agency and the Watershed

Agricultural Council, farmers can receive annual rental payments in exchange for removing environmentally-sensitive land from production and installing conservation practices like vegetated streamside buffers, exclusion fencing, and animal crossings. These rental agreements usually run for 10-15 years, unlike watershed conservation easements which run in perpetuity. The commentors are suggesting a similar program be explored as an option for owners of non-agricultural land. **This potential program should be explored in the context of the streamside acquisition workgroup”**

- (6) “NYSDOH and the City acknowledge the existing conservation easement language may need to be revised in light of some recent conflicts with public benefit projects. The city agrees to work with the communities to explore potential language changes to future conservation easements which would allow for such activities to take place. The Revised 2017 FAD has been updated to reflect this new activity”
- (7) NYSDOH supports the recreational use of protected land in the Catskill/Delaware Watershed where such use does not threaten to have an adverse impact on NYC water quality. Paragraph 72 of the 1997 Memorandum of Agreement included mountain bicycling as a recreational activity not likely to be allowed on City land. The city has opened over 135,000 acres of watershed lands to other recreational opportunities, where it can be demonstrated that recreational use will not harm water quality. **The City may consider requests to open specific City-owned parcels to connect existing or planned trail networks where municipal and organizational partners have the capacity to effectively steward the activities and ensure no threats to water quality.”**

NOW THEREFORE, LET IT BE RESOLVED that the Town Board of Walton hereby thanks the Department of Health for carefully considering the comments of the West of Hudson Communities and incorporating those comments in the Revised FAD and accepts the Revised FAD as a reasonable compromise to assure the continued protection of New York City’s water supply while recognizing the needs of the watershed communities; and

LET IT BE FURTHER RESOLVED, that the Town of Walton is committed to continuing to work with the other watershed stakeholders to develop a revised LAP and SAP that is consistent with the MOA, the NASEM findings, the Revised FAD and the evolving needs of the watershed communities.

A motion was made by Councilman Armstrong, seconded by Govern.

	Aye	Nay
Supervisor Cetta	_X_	___
Board Member Armstrong	_X_	___
Board Member Rodriguez-Bentancourt	_X_	___
Board Member Govern	_X_	___
Board Member Wood	_X_	___

Councilman Govern mentioned an article he read in the Albany Times Union concerning a 10–15-year lease on streamside property instead of actions, allowing the property to stay in the owner’s name.

Supervisor Cetta informed the Board that the stream permits have been awarded for the former Breakey Motors property work and a design is being worked on within the DEP as well as an elevation study. The new study shows there are still some flood benefits, but not as substantial as previously thought.

Councilman Armstrong stated this information bothers him, as he will now reconsider future projects before taking another property off the tax rolls.

Supervisor Cetta provided clarification from a recent letter received as well as letters to the editor concerning the town's ownership of property near the Dollar General parking lot. He stated the town owns approximately 52' from the sidewalk toward the river. He stated this area has been maintained and pot holes filled in, but the rest of the parking lot is not owned by the town and therefore will not be maintained by the Highway Department.

Councilman Rodriguez-Betancourt questioned Supervisor Cetta about the trucks parking overnight down by the fishing access? Supervisor Cetta stated he disengaged during Covid but will push the issue now. Councilwoman Wood questioned what can we do? Supervisor Rodriguez-Betancourt stated we can have them removed. It was mentioned that they can possibly rent space from Butch Neale at the truck terminal. Councilman Rodriguez-Betancourt stated it is getting worse and needs to be addressed.

Councilman Govern informed Superintendent Offnick that there is a need for a Town of Walton sign on County Highway 21 at the Walton/Franklin line.

Supervisor Cetta stated that there is a need to start addressing the equalization rate as is has been 8 years since the last reevaluation and the rate has dropped significantly. He will work with the Assessor and start gathering budget figures.

Supervisor Cetta made mention of a thank you card received from a resident for the hard work and efforts of the Highway Department this past winter.

Supervisor Cetta made mention of the burn band until May 14th as well as a possible increase in tick this season.

Supervisor Cetta informed the Board that he is gathering information on an ATV/UTV road use policy for the Town of Walton. He stated that this recreation activity is growing and other towns are adopting policies as well. He stated this would be nice to offer families and may also generate revenue for the town.

Councilman Armstrong stated he is looking into this as well and suggested we reach out to legislators to gather support in allowing to register the vehicles.

Supervisor Cetta stated Stamford is aligning themselves with clubs such as Club 607. Discussion took place on establishing stiff penalties for violators as well as enforcement. Councilman Rodriguez-Betancourt stated enough revenue needs to be generated to help with the cost of enforcement.

Supervisor Cetta informed the Board that he is working on a request for proposal ad for a generator to be placed in the Baptist Church with ARPA funds.

The Walton Town Court was awarded a Justice Court Assistance Grant in the amount of \$13,001.43. The following quotes have been received and need approval to move forward.

Panic Button:

Wave Plus, System \$7,900.00

BEC Integrated Solutions \$2,909.00

Mitsubishi Mini Split System:
Sure Temp Co. \$6,707.83
Advanced Heating & Air Conditioning \$5,500.00

RESOLUTION#54 **PANIC BUTTON QUOTE**

A motion was made by Councilman Govern, seconded by Wood to approve BEC integrated Solutions as the low bidder for the installation of a Court Room Panic Button installation in the amount of \$2,909.00. All in favor, motion carried.

RESOLUTION #55 **INSTALLATION OF MITSUBISHI MINI SPLIT SYSTEM**

A motion was made by Councilman Govern, seconded by Wood to approve Advanced Heating & Air Conditioning as the low bidder for the installation of a Mitsubishi Mini Split System in the court room in the amount of 5,500.00. All in favor, motion carried.

COMMITTEE REPORT:

Supervisor Cetta informed the Board that the concrete will be placed under the pavilion soon.

Councilwoman Wood stated she was asked about mentioning a dog park in the Town of Walton. The Board was in agreement that there is not property to allow for this and that there are a lot regulations associated with this and the Board was not interested in pursuing this at this time.

APPROVAL OF BILLS:

RESOLUTION #56 **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	#51-62	\$9,547.93
General OV B	#-	\$
General HWY DA	#30-41	\$24,218.01
OV HWY DB	#5-6	\$439.36

With no further business before the Board, the meeting was adjourned 7:16 p.m.

Respectfully submitted,

Ronda Williams
Town Clerk