

The regular meeting of the Walton Village Board was held on Monday, Sept. 4, 2018, at 6:00 p.m. in the Village Hall, 21 North Street, Walton.

Present: Edward H. Snow, Sr., Mayor  
Trustees: David Breese  
Stephen Condon  
Teresa O'Leary  
Steve Sehen

Reporter:

Attorney: David Merzig, not required to attend  
Clerk: Jody L. Brown

Mayor Snow called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

**PUBLIC  
HEARING  
LOCAL LAW  
2018-3**

Trustee O'Leary made a motion to open a Public Hearing on Local Law 2018-3 to establish the of Office for the Clerk and Deputy Clerk. Trustee Condon seconded. Carried unanimously.

No Public comment.

Trustee Breese made a motion to close the Public Hearing. Trustee Condon seconded. Carried unanimously.

Trustee Breese made a motion to establish the term for the Appointed Office of Village Clerk and Deputy Clerk as follows: The position of Village Clerk and Deputy Clerk, when vacant, shall be filled by the appointment of the Mayor, subject to the approvals of the Board of Trustees and shall hold office for an indefinite term and may be removed for just cause upon recommendation of the Mayor and by a majority vote of the Board of Trustees. Trustee Condon seconded. Carried unanimously.

**PUBLIC  
HEARING  
LOCAL LAW  
2018-4**

Trustee Condon made a motion to open a Public Hearing on Local Law 2018-4 to Amend Article of the Village Code to limit truck traffic on Fair Street and More Ave. Trustee O'Leary seconded. Carried unanimously.

Ed Rossley, Delaware County Fair Board, stated that he feels that the Fair is being targeted. The Fair doesn't use More Ave. for deliveries and have signage directing traffic to exit through Fair St. or the Parking Lot. The Fair does use Fair St. for the exit of the cattle trucks.

Trustee O'Leary asked how big a 2 ½ ton truck was.

Lenore Dutcher, 5 South St., stated that it has been an on-going issues for years that the trucks using More Ave. before and after the Fair cause damage to the lawns.

Trustee Sehen made a motion to close the Public Hearing. Trustee Breese seconded. Carried unanimously.

It was decided to install a sign at the end of More Ave. regarding size limits and placing barriers at the end of More Ave. a week before the fair.

**ABSTRACTS:**

The audit committee reviewed the abstracts and recommended approval as follows:  
The General Fund Abstract in the sum of \$49,073.09 was presented to the Board.  
The Water Fund Abstract in the sum of \$16,511.02 was presented to the Board.  
The Wastewater Fund Abstract in the sum of \$173,223.53 was presented to the Board.  
The Capital Fund Abstract in the sum of \$6,995.81 was presented to the Board.

After review, Trustee Condon made a motion to approve the abstracts as submitted. Trustee Sehen seconded. Carried unanimously.

**DEPARTMENT HEADS:**

**POLICE DEPT.** Paul Olsen, Chief of Police, submitted a monthly report for August 2018.

**FORENSIC INVESTIGATOR SCHOOL** Paul Olsen requested permission to send an officer to training. After review, Trustee O'Leary made a motion to send Devin Dunphy to Forensic Investigators School at the Meadows Facility in Cooperstown on Sept. 18 – 20 at no cost. Trustee Breese seconded. Carried unanimously.

**ID MOBILE** Sheriff Dumond approached the Village about IDMobile Remote Communications & Field Reporting. Delaware County is seeking a grant for the systems. After much discussion, Trustee Condon made a motion to have the Advanced Vehicle Locators installed in the both police vehicles at a cost of \$50.00 per car per month. Trustee Sehen seconded. Carried unanimously.

**DEPT. OF PUBLIC WORKS** Butch Smith, Dept. of Public Works Superintendent, submitted a monthly report for August 2018.

**BRIDGE LIGHTS** One of the lights on the Bridge is not working. After discussion, Trustee Condon made a motion to change the lights on the Bridge St. Bridge to LED at a cost not to exceed \$500.00. Trustee O'Leary seconded. Carried unanimously.

**MECHANIC – NEW HIRE** Butch Smith recommended hiring Kevin Coons, Jr. After discussion, Trustee O'Leary made a motion to hire Kevin Coons, Jr. as full-time mechanic at a rate of \$20.28 per hour, effective Sept. 24<sup>th</sup> or before. Trustee Condon seconded. Carried unanimously.

**NYCOM CONFERENCE** Butch Smith requested permission to attend training. After review, Trustee Sehen made a motion to send Butch Smith the 2018 NYCOM Public Works Training School in Lake Placid on Oct. 15-17 at a cost of \$138 plus hotel to be split between funds.. Trustee O'Leary seconded. Carried unanimously.

**CEDARWOOD ENVIRONMENTAL** Jason Craig, Cedarwood Environmental, submitted a monthly report for August 2018.

**CBUD HEATERS** Jason Craig requested the purchase of new heaters. After review, Trustee Breese made a motion to purchase two new heaters from Tom Ellis Heating at a total cost of \$13, 010.00 for the CBUD building from G8130.514 budget line, 100% NYC cost. Trustee Condon seconded. Carried unanimously.

**DELAWARE ENGINEERING** Bill Brown, Delaware Engineering, submitted a monthly report for August 2018.

**WATER GRANT SEQR** Bill Brown reviewed the Water System Grant. Trustee Condon made a motion to pass Resolution 2018-8 that determines that the proposed Water System Infrastructure Upgrade Project is a Type II action and is therefore not subject to review. Trustee Sehen seconded. Carried unanimously.

**BOND RESOLUTION** Bill Brown stated that the revised project scope for the Water Project has been identified. After discussion, Trustee Sehen made a motion to pass the Bond Resolution for the Water System Project. Trustee Breese seconded. Carried unanimously. Copy attached.

**WATER GRANT APPLICATION** Trustee Breese made a motion authorizing the Mayor to sign the grant application to NYS Environmental Facilities Corp. Water Infrastructure Improvement Act Program and Drinking Water State Revolving Fund Program. Trustee Condon seconded. Carried unanimously.

<b>CODE ENFORCEMENT</b>	Stephen Dutcher, Code Enforcement Official, submitted a monthly report for August 2018. Steve mentioned that he mailed out letters to property owners on Liberty St. regarding NOT pumping sump pumps into the sewer system.
<b>TRUSTEE REPORTS</b>	Trustee Breese said the Walton Theatre Preservation Association is working on their Facebook presence. They are also looking into tile for the Lobby.  Trustee Condon stated that the summer programs are finished. The DPW will be working on the playground area by the pool so that can be utilized next year. Also, the repair of the pool decking.  Trustee O'Leary said "Thank You" to the Police Dept. for all their work during Fair Week. She also said "Thank You" to the Fair Board for their \$1,000.00 donation to help with the cost of extra Police for the week, but asked for more money next year.
<b>MAYOR'S REPORT</b>	Mayor Snow read a request from the Walton Central School Field Hockey Team. Trustee Condon made a motion to allow the Field Hockey Stick Signs to be displayed on Delaware St. again this Year with the stipulation that they be removed promptly after the season is completed. Trustee Breese seconded.
<b>U.H.S. WATER BILLS</b>	Mayor Snow read a letter from Delaware Valley Hospital. After review, Trustee O'Leary made a motion to remove the penalties on four of the DVH account, 812, 1074, 1075, 1085 and only add the penalty on 1084. Trustee Breese seconded. Carried unanimously.
<b>LETTER OF SUPPORT D.V.H.</b>	U.H.S. submitted a Health Care Services Agreement. Trustee Breese made a motion to authorize the Mayor to sign the Health Care Services Agreement with United Health Services to continue to provide health care to indigent, uninsured and underinsured residents of the State of N.Y. and to assure that all patients will receive necessary care regardless of the ability to pay. Trustee Sehen seconded. Carried unanimously.
<b>DASNY GRANT APPLICATION</b>	A letter was received from Senator Bonacic regarding our grant application for DPW Equipment and a generator. After review, Trustee Sehen made a motion to authorize Mayor Snow to sign grant application for \$75,000.00 for DPW Equipment and generator. Trustee Breese seconded. Carried unanimously.
<b>POSSEMATO SEWER LATERAL</b>	The Mayor read a letter that was received from Anthony Possemato regarding the invoice for the new sewer lateral for 3 Guild Ave. He was requesting that the Village pay for half of the cost. After discussion, the Board decided to take no action on the request because he signed the estimate agreeing to the cost before the work was done.
<b>EXECUTIVE SESSION</b>	Trustee Condon made a motion to enter Executive Session to discuss Police personnel at 7:40 pm Trustee Sehen seconded. Carried unanimously.  Trustee Breese made a motion to close Executive Session at 8:12 p.m. Trustee Sehen seconded. Carried unanimously.
<b>PART-TIME OFFICIER</b>	Chief Olsen recommended hiring Logan Wood. Trustee O'Leary made a motion to hire Logan as a part-time Police Officer effective September 11 <sup>th</sup> at the uncertified rate of \$18.00 per hour. Trustee Sehen seconded. Carried unanimously.

**ADJOURN** Trustee O'Leary made a motion to adjourn the meeting at 8:28 p.m. Trustee Breese seconded. Carried unanimously.

**NEXT MEETING** The next regular meeting of the Village Board will be held on Monday, October 1, 2018 at 6:00 p.m. in the Village Hall, 21 North Street.

Jody L. Brown  
Clerk-Treasurer

A regular meeting of the Board of Trustees of the Village of Walton, Delaware County, New York was convened in public session at the Village Municipal Hall located at 21 North Street on September 4, 2018 at 6:00 p.m., local time.

The meeting was called to order by Mayor Snow and, upon roll being called, the following members were:

PRESENT:

Edward H. Snow, Sr.	Mayor
David Breese	Trustee
Stephen Condon	Trustee
Teresa O'Leary	Trustee
Steven Sehen	Trustee

ABSENT:

The following persons were ALSO PRESENT:

Jody L. Brown	Village Clerk
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The following resolution was offered by Trustee Sehen, seconded by Trustee Breese, to wit;

BOND RESOLUTION DATED SEPTEMBER 4, 2018

A RESOLUTION SUPPLEMENTING A BOND RESOLUTION DATED SEPTEMBER 1, 2015, AUTHORIZING THE ISSUANCE OF ADDITIONAL SERIAL BONDS OF THE VILLAGE OF WALTON, DELAWARE COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$277,923 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE REPLACEMENT OF WATERMAIN IN THE VILLAGE AND CERTAIN OTHER IMPROVEMENTS TO THE VILLAGE'S WATER SYSTEM AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

WHEREAS, on September 1, 2015, the Board of Trustees of the Village of Walton, Delaware County, New York (the "Village") adopted a bond resolution authorizing the issuance of serial bonds of the Village in an amount not to exceed \$1,722,077 to finance the replacement of approximately 5,000 lineal feet of watermain along portions of Union Street, Bruce Street, Burton Street and St. John Street, which streets will also be repaved, and the replacement of approximately 1,800 lineal feet of watermain along a portion of Prospect Avenue (New York State Route 10) (the "Prior Resolution"); and

WHEREAS, the Board of Trustees of the Village has determined that the scope of said project should be expanded and desires to supplement the Prior Resolution by amending the specific purpose described therein; and

WHEREAS, the Board of Trustees of the Village has also determined that additional funds are required to finance said specific purpose as so amended and desires to supplement the Prior Resolution by authorizing the issuance of additional serial bonds of the Village in an amount not to exceed \$277,923;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the replacement of approximately 5,000 lineal feet of watermain along portions of Union Street, Bruce Street, Burton Street and St. John Street, which streets will also be repaved, the replacement of approximately 1,800 lineal feet of watermain along a portion of Prospect Avenue (New York State Route 10), the rehabilitation of the Village's two water storage tanks and the rehabilitation of the Curry Well pumping facility. The estimated maximum cost of said purpose is \$2,000,000.

SECTION 2. The Board of Trustees plans to finance the additional cost of said purpose by the issuance of additional serial bonds of the Village in an amount not to exceed \$277,923, hereby authorized to be issued therefor pursuant to the Local Finance Law. The remaining balance of the cost of said purpose, that being \$1,722,077, shall be financed as provided in the Prior Resolution. The Board of Trustees also plans to apply to the New York State Environmental Facilities Corporation for a grant through its Water Grants program and for funding through its Drinking Water State Revolving Fund program to finance or refinance a portion of the cost of said purpose. Water reserve funds and/or Consolidated Local Street and Highway Improvement Program (CHIPS) funds may also be used to pay a portion of the cost of said purpose.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years.

SECTION 4. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will be in excess of five (5) years.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 6. The proceeds of the bonds authorized by this resolution, and any notes issued in anticipation thereof, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose set forth herein. This resolution shall constitute a statement of official intent for purposes of Treasury Regulation Section 1.150-2 of the United States Treasury Department.

SECTION 7. Each of the bonds authorized by this resolution, and any notes issued in anticipation thereof, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 8. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes, and the power to prescribe the terms, form and contents of said

serial bonds and said bond anticipation notes (including, without limitation, dates, denominations, maturities, interest payment dates, consolidation with other issues, manner of execution and redemption rights), and the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of said bonds, are hereby delegated to the Village Treasurer, the Chief Fiscal Officer of the Village. The Village Treasurer is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Village Clerk is hereby authorized to affix the corporate seal of the Village to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 9. The Village Treasurer is hereby further authorized, in her discretion, to execute a project finance agreement or agreements and any other agreements with the New York State Environmental Facilities Corporation and/or the New York State Department of Health, and any amendments thereto, and to take such actions and execute such documents as may be necessary to provide for the financing or refinancing of the purpose set forth herein, or a portion thereof, by the issuance of serial bonds of the Village and the sale of said bonds to the New York State Environmental Facilities Corporation.

SECTION 10. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code"), and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or

(2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 12. The Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in The Reporter, a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication, after the period of time shall have elapsed for the submission and filing of a petition for a permissive referendum and a valid petition shall not have been submitted and filed.

SECTION 13. This resolution is adopted subject to a permissive referendum pursuant to Section 36.00 of the Local Finance Law.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Edward H. Snow, Sr.	VOTING	<u>YES</u>
David Breese	VOTING	<u>YES</u>
Stephen Condon	VOTING	<u>YES</u>
Teresa O'Leary	VOTING	<u>YES</u>
Steven Sehen	VOTING	<u>YES</u>

The foregoing resolution was thereupon declared duly adopted.



CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Clerk of the Village of Walton, Delaware County, New York (hereinafter called the "Village") and the custodian of the records of the Village, including the minutes of the proceedings of the Board of Trustees, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a regular meeting of the Board of Trustees held on the 4th day of September, 2018 and entitled:

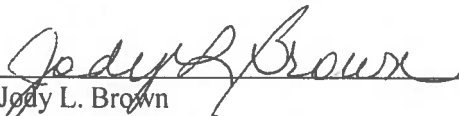
A RESOLUTION SUPPLEMENTING A BOND RESOLUTION DATED SEPTEMBER 1, 2015, AUTHORIZING THE ISSUANCE OF ADDITIONAL SERIAL BONDS OF THE VILLAGE OF WALTON, DELAWARE COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$277,923 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE REPLACEMENT OF WATERMAIN IN THE VILLAGE AND CERTAIN OTHER IMPROVEMENTS TO THE VILLAGE'S WATER SYSTEM AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the Village. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Board of Trustees was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Board of Trustees) voted in the proper manner for the adoption of said resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of said resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the Village and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this 4th day of September, 2018.

-SEAL-

  
\_\_\_\_\_  
Jody L. Brown  
Village Clerk

Village of Walton, Village Board Meeting

Village Hall

21 North Street

September 4, 2018

Municipal Resolution # 8 -2018

Environmental Review of proposed improvements to the Village water system infrastructure.

**WHEREAS**, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQRA) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

**NOW, THEREFORE, BE IT:**

**RESOLVED** that the Board of Trustees of the Village of Walton, Delaware County NY, hereby determines that the proposed Water System Infrastructure Upgrade Project is a Type II action in accordance with 6 NYCRR Section 617.5(c) (2) which constitutes the **“replacement, rehabilitation or reconstruction of a structure or facility, in kind (i.e. providing the same function and of similar size and footprint of existing facilities within existing areas) on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4 of this Part;”** and is therefore not subject to review under 6 NYCRR Part 617.

Motion offered by: Trustee Condon

Motion seconded by: Trustee Sehen

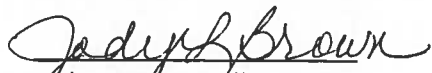
Roll Call Vote:

Ed Snow: yes  
Teresa O’Leary: yes  
Stephen Condon: yes  
David Breese: yes  
Steven Sehen: yes

The Motion ~~(is)~~ is not Adopted.

I HEREBY CERTIFY THAT:

This Resolution is a true and accurate representation of the proceedings of the Village of <sup>Walton</sup> ~~Atton~~ Village Board on this the 4<sup>th</sup> day of September, 2018.

  
Jody Brown – Village Clerk  
Village of Walton

**CONTRACT TO PROVIDE SERVICES TO LOW INCOME INDIVIDUALS**

This 340B Health Care Services Agreement ("Contract") is made this \_\_\_\_ day of \_\_\_\_\_, 2018 by and between Walton, New York ("Government Entity") and Delaware Valley Hospital, Inc., a private non-profit hospital located in Walton, New York ("Hospital").

**BACKGROUND**

1. Hospital is a private, non-profit, Medicare certified hospital that supports many programs that benefit the indigent, uninsured or underinsured population of the State of New York;
2. Hospital desires to participate or continue its participation in the drug discount program established under Section 340B of the Public Health Services Act ("340B Program");
3. Hospital and Government Entity agree that Hospital commits to provide health care services to low income individuals who are not entitled to Medicare or Medicaid benefits at no reimbursement or considerably less than full reimbursement;
4. Government Entity acknowledges and agrees that Hospital has been committed to providing such services since prior to January 1, 2011 ("Start Date"); and
5. Government Entity is a unit of government of the State of New York and accepts such commitment in satisfaction of the requirements of the 340B Program.

As such, in consideration of the mutual agreements and covenants contained herein and for other considerations, it is mutually agreed by the Hospital and Government Entity as follows:

**AGREEMENT**

1. Continuing since the Start Date and during the term of this Contract, Hospital agreed to provide health care to indigent, uninsured and underinsured residents of the State of New York. Hospital will continue to assure that all patients will receive necessary care, as required by law, regardless of the ability to pay.
2. Government Entity therefore: i) accepts the commitment of the Hospital as set forth above; ii) acknowledges that health care services provided by Hospital hereunder are being provided to individuals who are not entitled to benefits under Title XVIII, (Medicare) or eligible for assistance under any State plan pursuant to Title XIX of the Social Security Act (Medicaid); and iii) acknowledges that Hospital is providing these services at no reimbursement or considerably less than full reimbursement from the applicable patients.
3. Meanwhile, Hospital represents that as of the date hereof it is a tax-exempt corporations under Section 501(c) (3) of the Internal Revenue Code of the United States.
4. The term of this shall commence on the date first above written and shall continue until terminated by either party upon not less than sixty (60) days prior written notice to the other.

Hospital and Government Entity hereby execute this Contract through their duly authorized representatives.

**HOSPITAL**

By: \_\_\_\_\_  
Name: Paul Summers  
Title: President and CEO  
Date: \_\_\_\_\_

**GOVERNMENT ENTITY**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Mayor  
Date: \_\_\_\_\_