

The regular meeting of the Walton Village Board was held on Monday, May 3, 2021 at 6:00 p.m. in the Village Hall, 21 North Street, Walton.

Present: Mayor Edward Snow, Sr. Attorney: David Merzig, not required to attend
Trustees: Eric Ball Clerk: Jody L. Brown
Richard Doig
Nathan Jamieson
Steven Sehen, absent

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

ABSTRACTS: The audit committee reviewed the abstracts and recommended approval as follows:
The General Fund Abstract in the sum of \$16,539.36 was presented to the Board.
The Water Fund Abstract in the sum of \$10,253.80 was presented to the Board.
The Sewer Fund Abstract in the sum of \$125,647.70 was presented to the Board.
The Trust & Agency Abstract in the sum of \$2,848.04 was presented to the Board.
After review, Trustee Ball made a motion to approve the abstracts as submitted. Trustee Doig seconded. Carried unanimously.

CEDARWOOD ENVIRONMENTAL Jason Craig submitted a report to the Board for April 2021.

BELIMO ACTUATOR Jason Craig requested the purchase of a replacement actuator. After review, Trustee Ball made a motion to authorize the purchase of a Belimo actuator for the aeration blowers from Turnkey Controls at a cost of \$2,312.50 from budget lines G8130.415/515 80%/20% split. Trustee Jamieson seconded. Carried unanimously.

DELAWARE ENGINEERING Bill Brown submitted a report to the Board for April 2021. All projects moving forward.

DEPT. OF PUBLIC WORKS Butch Smith submitted a report to the Board for April 2021.

FURNANCE REPLACEMENT Butch Smith recommended replacing another furnace in the Theater to complete the replacement plan. After review, Trustee Ball made a motion to authorize the replacement of a furnace in the Theater from ANC Heating for \$7,869.00. Trustee Doig seconded. Carried unanimously.

CODE ENFORCEMENT Dan Wilber, Interim Code Official submitted a report to the Board. Several contractors and property owners are doing projects without obtaining a building permit.

NEW HIRE CODE OFFICIAL Several candidates were interviewed for the Code Enforcement position. Trustee Ball recommended hiring Joshua Morgan. After discussion, Trustee Ball made a motion to hire Joshua Morgan to fulfill the duties of part-time Code Enforcement Official, Building Inspector, and Flood Plain Manager at the uncertified rate of \$18.00 per hour for up to 20 hours a week with no benefits or paid holidays. Trustee Jamieson seconded. Carried unanimously.

POLICE DEPARTMENT Chief D'Addezio submitted a monthly report for April 2021.

FORCE SCIENCE TRAINING Chief D'Addezio requested approval for attending a seminar. Trustee Doig made a motion to authorize Chief D'Addezio and Rich Kelly to attend a seminar in Albany County on June 1st and 2nd for Force Science Body-Worn Camera Training. Trustee Ball seconded. Carried unanimously.

**TRUSTEE
REPORTS**

Trustee Jamieson – Brian Sprague submitted a list of recommendations for summer help. After review, Trustee Jamieson made a motion to hire the following as seasonal employees and Trustee Carissa Crandall – Lawn Mower, \$12.50 an hour, effective May 19, 2021
Anthony Cetta – Lawn Mower, \$12.50 an hour, effective June 28, 2021
Grace Rhinehart – Lead Lifeguard, \$12.60 an hour, effective May 25, 2021
Dylan Jacobs – Basketball, \$12.50 an hour, effective June 28, 2021

The Village Pool will host a Lifeguard course in June. The date, time, and cost will depend on the number of participants. If anyone is interested, please contact Recreation Director, Brain Sprague. Target date to open the Village Pool is June 26th.

Trustee Ball – The DPW is working at spring clean-up by removing the piles of brush and leaves in clear bags. They will also be working on replacing signage throughout the Village.

**MAYOR'S
REPORT**

A letter was submitted to the Board from Rita Re, 19 East Brook St, and Joe Plesinger, 15 East Brook St. regarding "Fines" received for snow removal and they are asking that the "fines" be rescinded. After review, Trustee Doig stated that a complaint was received regarding their sidewalks so a Contractor was hired to clear them so the \$75.00 invoices would need to be paid or it would be levied onto the 2021-2022 tax bill. The Board took no action on the request.

Marlene Kremmydas, 29 Gardiner Pl., spoke to the Board regarding their high water/sewer bill. The October billing was \$5,679.30 because 513,165 gallons went through the meter. The water meter was tested at their request and the meter is working. Ms. Kremmydas had previously requested a payment plan and one was granted by the Board. Ms. Kremmydas would like the bill forgiven. The Board took no further action.

A notice form was received from Lisa Davies, Packin Heat B&G, LLC, 38 West St, for providing a 30 day advance notice for application for a liquor license. A letter was also submitted for a waiver of the waiting period. Trustee Ball made a motion to waive the 30-day waiting period for a liquor license for Packin Heat. Trustee Doig seconded. Carried unanimously.

**MOUNTIANVIEW
ESTATES
P.I.L.O.T.**

A request was received from Mountianview Estates to extend the PILOT. After review, Trustee Doig made a motion to authorize the Mayor to sign the agreement between Mountianview Estates, Town of Walton and the Village of Walton to extend the payment in lieu of taxes agreement twenty-five years with a 3% increase each year and split between the Village 31%, Town 27%, and Walton School District 42%. Trustee Ball seconded. Carried unanimously. Copy attached.

**ELECTRICITY
CONTRACT**

Proposed rates were submitted to the Board. After discussion, Trustee Doig made a motion to extend the electricity contract with Constellation for 36 months at a rate of \$42.04 per MWh and authorized the contract to be signed. Trustee Ball seconded. Carried unanimously.

RESIGNATION

A letter was received from Rita Re tendering her resignation from the Village Planning Board.

**2020-2021
BUDGET
AMENDMENTS**

Amendments were submitted to the Board. Trustee Doig made a motion to approve the 2020-2021 budget amendments as submitted. Trustee Jamieson seconded. Carried unanimously. Copy attached.

**EXECUTIVE
SESSION**

Trustee Ball made a motion to enter Executive Session to discuss Contract Negotiations at 7:01 p.m. Trustee Doig seconded. Carried unanimously.

Trustee Ball made a motion to close Executive Session at 7:24 p.m. Trustee Doig seconded. Carried unanimously.

TEAMSTER'S IMPASSE

Trustee Doig made a motion to authorize the Mayor to sign the Declaration of Impasse with the Teamster's Union. Trustee Ball seconded. Carried unanimously.

ADJOURN

Mayor Snow adjourned the meeting at 7:27 p.m.

NEXT MEETING

The next regular meeting of the Village Board of Trustees will be held on Monday, June 7, 2021 at 6:00 p.m. in the Village Hall, 21 North Street.

Jody L. Brown, Clerk-Treasurer

AGREEMENT FOR PAYMENT IN LIEU OF TAXES

THIS AGREEMENT made as of this ____ day of _____, 2021, between MOUNTAINVIEW ESTATES ASSOCIATES, L.P., a Limited Partnership created as a Redevelopment Company pursuant to Article V of the Private Finance Law, with offices at 214 West Court Street, Rome, New York (the "Redevelopment Company"), the VILLAGE OF WALTON, a Municipal Corporation with offices at 21 North Street, Walton, New York, and the TOWN OF WALTON, a Municipal Corporation with offices at 129 North Street, Walton, New York (the "Municipalities").

WHEREAS, the Village of Walton, by Resolution duly adopted by its Village Board on May 3, 2021, did approve tax exemption of the Project upon the terms and conditions hereinafter stated.

WHEREAS, the Town of Walton, by Resolution duly adopted by its Town Board on May _____, 2021, did approve tax exemption of the Project upon the terms and conditions hereinafter stated.

WHEREAS, the Redevelopment Company and the Municipalities entered into an Agreement for Payment in Lieu of Taxes (the "Agreement") dated March 11, 1982, and thereafter modified by letter dated August 12, 1997.

NOW, THEREFORE, the Redevelopment Company and Municipalities agree to modify the Agreement as follows:

The term of the Agreement is extended from December 31, 2021 to December 31, 2046, but may be renegotiated every five (5) years. Notwithstanding the foregoing, if the Redevelopment Company and the Municipalities do not enter into an agreement for payment in lieu of taxes for the year 2036 on or before December 31, 2035, the Redevelopment Company and the tax abatement provided under this Agreement shall terminate simultaneously on December 31, 2035.

The payment in lieu of taxes for the calendar year 2022 is the sum of \$50,000.00. Sums for the subsequent calendar years shall increase 3% per annum or the amount of the shelter rent subsidy increases granted to the project by HUD for payment in lieu of tax increases, whichever sum is greater. The Manager of the property shall provide a sworn statement to the Town of Walton Assessor on an annual (calendar year) basis, specifically detailing HUD subsidy increases within forty-five (45) days of the close of such year. Failure to do so within ten (10) days after the Walton Town Attorney sends a courtesy reminder letter by certified mail, return receipt requested, will subject the property to agreed liquidated damages of \$2,500.00, said sum being an estimate of costs of legal action to compel same. The Manager for the project shall diligently pursue shelter rent increases from HUD and shall make application for same as often as possible within good business practices to provide maximum shelter increases obtainable by HUD.

Should the HUD subsidy be eliminated at any time, the property manager shall so notify the Town of Walton Assessor's Office within thirty (30) days after notice of such elimination (even if the same be tentative), and all parties agree that this agreement shall terminate effective on December

31st of such year (unless a tentative elimination was appealed and reversed). The property will then go on the tax rolls for the subsequent year at full assessment equal to the prevailing equalization rate multiplied by the prevailing fair market value.

The payment in lieu of taxes shall be made to the Village of Walton in the month of January of each year. Upon receipt of the annual payment, the Village of Walton shall divide the payment among the Village, the Town of Walton, and the Walton School District, in the following percentages: Village of Walton: 31%; Town of Walton: 27%; Walton School District: 42%

IN WITNESS WHEREOF, the Redevelopment Company and the Municipalities have caused this Agreement to be executed by their duly authorized officers the day and year first above written.

Joseph Cetta, Supervisor
Town of Walton

Edward Snow, Mayor
Village of Walton

, President
Mountainview Estates Associates, L.P.

2020-2021 Budget Amendments - General Fund

<u>Account</u>	<u>Description</u>	<u>Budgeted</u>	<u>Amendment</u>	<u>Amended Budget</u>
A1325.401	Website & Meetings	\$2,120.00	\$20.44	\$2,140.44
A1362.400	Tax Arrears	\$6,000.00	\$538.02	\$6,538.02
A1620.401	Bldg. Maint. Theater	\$5,089.29	\$1,274.03	\$6,363.32
A3120.408	Police - Electric	\$2,771.85	\$600.00	\$3,371.85
A7310.100	Pool - Personnel	\$43,770.00	\$3,192.51	\$46,962.51
A1990.400	Contingency	\$4,000.00	-\$4,000.00	\$0.00
A1325.400	Clerk Contractual	\$17,000.00	-\$1,625.00	\$15,375.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
A - GENERAL FUND Expenditure Total			\$0.00	

2020-2021 Budget Amendments - Water Fund

<u>Account</u>	<u>Description</u>	<u>Budgeted</u>	<u>Amendment</u>	<u>Amended Budget</u>
F8320.400	Source of Supply	\$4,000.00	\$625.00	\$4,625.00
F8320.409	Source of Supply - Gas	\$500.00	\$52.00	\$552.00
F8340.400	Transmission & Distribution	\$11,500.00	\$500.00	\$12,000.00
F9055.800	Disability	\$87.00	-\$22.12	\$64.88
F9040.800	Worker's Comp	\$3,700.00	-\$164.56	\$3,535.44
F9015.800	Retirement - Police	\$3,300.00	-\$455.40	\$2,844.60
F8310.200	Water Admin. Equipment	\$650.00	-\$209.80	\$440.20
F1990.400	Contingency	\$4,417.00	-\$325.12	\$4,091.88
				\$0.00
F - WATER FUND Expenditure Total			\$0.00	

2020-2021 Budget Amendments - Sewer Fund

<u>Account</u>	<u>Description</u>	<u>Budgeted</u>	<u>Amendment</u>	<u>Amended Budget</u>
G8130.409	WWTP - Gas	\$452.36	\$204.72	\$657.08
G8130.417	WWTP Water Usage	\$560.00	\$180.70	\$740.70
G8130.419	WWTP Chemicals	\$68,634.70	\$9,300.00	\$77,934.70
G8130.422	WWTP Lab Supplies	\$2,157.94	\$16.59	\$2,174.53
G9060.800	Health Insurance	\$13,191.88	\$126.27	\$13,318.15
G9710.600	Serial Bond Principal	\$70,966.00	\$511.95	\$71,477.95
G9710.700	Serial Bond Interest	\$44,421.00	-\$511.95	\$43,909.05
G9902.800	HRA Transfer	\$5,595.00	-\$2,045.00	\$3,550.00
G8130.408	WWTP Electric	\$125,000.00	-\$7,783.28	\$117,216.72
				\$0.00
G - SEWER FUND Total			\$0.00	