

**Village of Walden
Board of Trustees Regular Meeting
May 2, 2017**

Mayor Rumbold called the regular meeting of the Village of Walden Board of Trustees to order at 6:30pm.

On roll call the following were:

Present:	Mayor	Sue Rumbold
	Deputy Mayor	Sean T. Hoffman
	Trustees	Brenda Adams
		Faith Moore
		John Ramos
		Brian B. Sebring

Absent:	Trustee	Lynn E. Thompson
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Also Present:	John Revella, Village Manager
	Tara Bliss, Village Clerk
	Dave Donovan, Village Attorney

Presentation – Orange County Film Office

Dawn Ansbro, Executive Director of the Orange County Arts Council, explains that her office manages the Orange County Film Office and wanted to give a presentation about the film industry in Orange County. Walden has been very film friendly and a pleasure to work with so we are happy to refer clients here. She wanted to remind the Board they are there and that their goal was to encourage film makers to come here so we are trying to promote our talent, crew, locations, and local business serving as a liaison to connect local businesses to film industry and your locations and businesses to make experiences good ones. She also wanted to make everyone aware of the change in the tax incentive laws in November 2016. NYS has had a 30% tax incentive on the books which means that when a film comes to the state they get a 30% refund on all of their “below the line costs”, in other words their non-creative costs such as food, set design, and any non-speaking roles. There is also a union law that if they are outside of a 25 mile radius of Columbus Circle if you are a union production they have to pay travel expenses and per diem expenses, and Orange County is outside of that Union zone and we only had the same 30% tax incentive to offer filmmakers. So it was costing more to come up here to make their pictures. They would only come up here for more specific films and then they would go back to the city to do the rest of their film. Since November, they now receive an additional 10% for the Hudson Valley making it a 40% tax incentive to offer to offset the travel and union costs outside of that union zone circle. So it sort of levels the playing field for us and she really wanted to just prepare us for additional film business coming our way due to that. She knows that Walden does have permits and code on the books here and the companies seem to be happy with them, she would like to share them if that’s ok with the Village. If the Village gets calls directly please just drop a note to keep them in the loop which would be helpful for them as they are keeping statistics to tell the full film story for Orange County and it would be helpful for them. For the record, the Orange County Film Office is funding

by the Industrial Development Agency. Tara and John are great contacts for us and our goal is to develop a complete list of properties/location in Orange County. We are willing to and have come to take photos of properties in Walden as we would like to make sure that all of the municipalities are well represented. Our website is www.orangecountynyfilm.org. We are trying to develop a discount card program that is something that works well in NYC but it is another way to encourage film to come up here. It would be a list of businesses that might offer a discount to the film makers that come up here and would be a list of preferred vendors, which could be caterers, restaurants, lumber yards, hardware stores, car services, florists, dry cleaning, and even locksmiths. If you think of anyone that might want to participate in that let them know. Finally she wanted to invite everyone for the Orange County IDA film industry conference to be held on July 28th at a location yet to be determined, formal invite to follow.

Presentation – 2016 Audit Report – RBT CPA's

Jennifer George, partner, and Donna Crowley, Manager, of RBT gave a presentation about the Village of Walden's Fiscal Year 2016 Audit findings. They reviewed highlights of the lengthy report previously given to the Board in February 2017. Our opinion has not changed and everything was filed in accordance with GAP. There was a change in the accounting standard regarding pensions which now shows a large liability on the books regarding pensions. As of the end of fiscal year 2016 the Village's liabilities were less than our assets at the government wide level including all the debt and capital assets by about \$8 million, which is good. Net position did decrease by about \$311,000 during the year and a lot had to do with the pension standard. The Fund balance was \$333,000 in total which is a decrease of \$250,000 from last year, also good. The pension standard has greatly affected your numbers. Since you participate in the State retirement systems as of March 31, 2016 were about 90% funded however that 10% that is not funded means that if they had to call all their chips everyone who participates in the system would have to put in their piece and the estimate for the Village combined for both systems was about \$2.5 million. That is not a hard number in that you are not going to see a bill but it has a lot to do with actuarial projections of what they would need to have going forward to pay everyone's pensions in perpetuity. The rate that they were expecting the investments to return changed from 7.5% to 7% which dropped the retirement funding amount from 97% to 90%. The new standard says that everyone needs to be aware that this is a potential until the retirement system become fully funded. The net investments and capital assets which is your book value of assets after depreciation minus any related debt increased by about \$500,000-600,000. Your unrestricted which is what is available for everything else decreased by about \$1.4 million which had quite a lot to do with the pensions. Your government wide revenues and expenses comparison. Total revenues went from \$9.4 to \$9.8 which had to do to some water sewer fee increases, library funding received, and donations. Expenses also increased \$320,000 of the increase was related to pension expense, there was more depreciation due to increased assets, and the garbage expenses related to the contract increased. Bond anticipation notes was \$2.5 million. And the short term liability for compensated absences such as sick time, vacation time, was about \$187,000 and other post-employment benefits which is for health benefits promised to people after they retire is estimated at \$3.2 million as you don't have money set aside to do that. Your net cost for public safety was a negative \$3.5 million. Water sewer generated positive amounts of about \$300,000 plus. All fund balances are all positive excluding capital projects which is expected since you are gaining debt to do the projects. The net capital assets that the Village is holding after depreciation is about \$13 million and

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this consists of land, buildings, and equipment and is the cost, not the market value of what you could sell these items for. Debt information shows maturities of the debt that existed as of May 31, 2016 and is just for bonds not the BANS which can be paid off at any time. The budget to actual revenues exceeded the budget by about \$56,000 and the expenditures were higher than the budget but that was due to the leasing of the street sweeper. If that was backed out it would have been less than budget. Water fund expenditures was \$78,000 less than budget and water was overall \$48,000 better than the budget. Sewer fund had an increase in expenditures which was due to an increase in power usage of \$40,000. Library in total was \$57,000 below what had been budgeted. Overall the debt picture is looking better and the categories went down. Started at \$5 million and are down to \$4.7 million in total. There are a lot of BANS but that is because you have a lot of projects going on. The finding in their report about the accounting records we left in but since the transition of the Treasurer we have found that Kelly is really digging in there to correct and clean up those issues. Kelly was very cooperative and quite helpful working together and discussing the findings during the entire process, so thank you.

Village Manager's Report

- We had a lot of activity that last two week with water and sewer payments for services that weren't paid as the relevy due day is April 30th. There were a lot of payment plan requests and people who came to make payments and we had a lot of water shut off notices and did shut off a few. We had a lot of back and forth correspondence and looking up of account histories but we were able to get the amount owed after shut offs and payments down from \$380,000 about \$115,000 less to about what it was last year at approximately \$270,000. We spent a lot of time with individuals to get that task completed.
- Spent a lot of time with the Police Department making sure we had coverage and taking care during a difficult time of loss of one of their officers.
- Correspondence from the DEC and we will have attorney client with the full Board tonight about that.
- Attended a great Transportation Council meeting where we were able to move funds around in our favor and increased our position which was good for us. Hope everyone read that in the paper. Metro North discussed increased services in the Port Jervis line by 2023 and are adding double track where they can and build a mid-point yard at the Campbell Hall station which should be helpful to us.
- CFA application period has started and we are looking to talk about what kind of projects we might be interested in applying for. Last year was the community center which we may want to do again.
- DPW building will be pouring cement on Thursday. We went over some RFPs today and have some more coming.

Trustee Adams asked about a note in his report from the last meeting about funding from Senator Larkin and a conference about the Waterfront Park.

Manager Revella explained that for some reason the Senators' office in Albany hadn't sent paperwork for us to receive the funds. We corresponded with the local office and did get paperwork and sent it back and following up more frequently to make sure funding comes through quickly. We started the project in house but want to get the project finished this year. It's about \$150,000 in total.

Trustee Adams asked about well exploration in the budget on Well #7 near Lake Osiris at DeLong Lane you mentioned it is off, will it never come back on again.

Manager Revella replied that it may but at this time the cost is prohibitive because of what it does to the system. That particular well is putting out a high amount of iron bacteria which causes the brownish water more frequently. We had anticipated putting some sort of baffler system near that well which we may consider but we are already looking for a well. Before it became a major issue we are already looking for a new well.

Trustee Adams asked if we are doing this exploration because it is better to get a new well than repair it.

Manager Revella replied yes because the water source has the bacteria issue and is difficult to get it out but the well exploration has nothing to do with the well itself it has to do with redundancy on the other side of the river. If the bridges were to go out where our water mains are we would have no service to that side of the Village and the other thing is the chemical additive that we have to use because we have to chlorinate the water to make sure there is no bacteria in the water to comply with the Department of Health. We have to put the level on the East side at such an amount to get the West side equal. If we had a west side well it would work better.

Trustee Adams asked if the money from the Amphitheatre grant could be applied to anything else.

Manager Revella stated that we never got approval for the funding. We ended up instead of applying for that we are doing the community center through the same application process as the CFA application.

Deputy Mayor Hoffman confirmed that in taking well 7 out of service and looking for another well on the other side of the Walkill. What we have in service is an adequate amount to meet the demand.

Manager Revella confirmed, yes, well above what we need actually.

Approval of April 18, 2017 Minutes

Trustee Adams made a motion to approve the April 18, 2017 minutes. Seconded by Trustee Moore. 5 ayes, 0 nays, 1 abstention (Trustee Ramos), and 1 absence (Trustee Thompson). Motion carried.

Trustee's Committee Reports

DPW Liaison– Trustee Sebring

Trustee Sebring reported that the DPW floors will be poured Thursday. Most of our equipment is out of Amthor's property and back at the DPW now. Water break today on Maple Street, busy sweeping the streets, they are doing the hydrant flushing, and they installed 30 new meters.

Recreation & Parks Department and Valley Central School Board Liaison – Trustee Ramos

Trustee Ramos reported that the School Board hasn't met since April 20th; next meeting is May 8th. He met with Mr. Bliss a few times the past month especially with the high police

activity this month and has nothing new to report. SI play is on board with summer program and we hope to get more and more kids this year.

Police Department and Justice Department Liaison – Deputy Mayor Hoffman

Deputy Mayor Hoffman reported that he talked to Chief a number of times the past month obviously in connection with the loss of Investigator James. They are starting to get back to normal business, if you will, they discussed last Thursday the adopted budget and hours of some part time officers. If anyone has any questions, just let him know and he will ask.

Village Offices Liaison – Trustee Adams

Trustee Adams reported that she had nothing to add other than the reports provided by the Clerk and Treasurer. She congratulated Kelly on the nice comments from the Auditors.

Planning and Zoning Boards as well as the Building Department Liaison – Trustee Moore

Trustee Moore reported that she met with Dean and he will be ready to report his findings at the next meeting about the fees as discussed at the last meeting.

Town of Montgomery & Library Board liaison – Trustee Thompson

Trustee Thompson was absent.

Mayor Rumbold read the community events into the minutes.

Manager Revella added that he was able to attend the Historical Society tea on Sunday and it was wonderful and he was glad to have been there.

Public Comment on Business of the Board

Gerald Jacobowitz, spoke about Local Law 7 of 2017. He looked at it earlier today and he asked that the Board not act on it tonight and allow a sit down between himself and the Attorney and the Manager and anyone else to go over the unintended consequences of changing the language that is proposed. Specifically in provision J Affordable Housing definition is fine. But the other provision has a significant unintended consequences as it makes every building plan non-conforming to the zoning as it could have 2 20ft units in the building. The law says that he affordable units must be spread throughout the whole project but when reduced down to 10% every building will be non-conforming meaning we have to go back and redo the plans. There is 80 pages in there and every one would have to have changes made changing the footprint of the building. Not sure that is what is intended. If the Board would allow your staff and whomever the Board would like to be there to sit down to discuss the language to avoid what is the unintended consequence of what is being proposed. He requested they not act on this tonight and review together to avoid the problems. It will save a lot of time if we do it that way.

Mary Ellen Matise, 54 Gladstone Avenue, he was saying that because of reducing it from 20% to 10% that makes all the units non-conforming. What is the definition of the unit?

Attorney Donovan replied same as it was before this just changes the percentage, the definition hasn't changed.

Mary Ellen stated there is only a definition of an affordable unit.

Attorney Donovan said it is the same as it was before.

Mayor Rumbold explained that the size of the affordable units were different than the regular units. Now we are going down to 10% there are less affordable units to be spread out among the entire project so that changes everything.

Manager Revella stated we are not requiring a maximum, just a minimum. Those are his issues, not ours so we can discuss that.

Attorney Donovan stated that he needs to change 10% of the affordable units.

Mayor Rumbold stated that he is saying that he drew the plans according to 20%

Attorney Donovan stated that this is not a new conversation we've had it before but he would be willing to meet with whomever to discuss it again.

Mary Ellen asked if the Falcon Ridge law creates a change is that going forward for all senior developments

Manager Revella replied yes, as proposed it is not just this specific senior housing, any senior housing proposals.

Action Items

Introductory Local Law 7 of 2017 – Townhouse Zone Affordable Units

Attorney Donovan stated he has no objection to sitting down to discuss. This is the only project that would potentially be affected by this. It is not imperative to set the public hearing at this time, not sure what the hurry is.

Tabled.

Falcon Ridge – Introductory local law for Board discussion and Planning Board referral

Attorney Donovan explained this is a local law which would increase the density based upon certain amenities. The idea he is recommending is that the Local Law be referred to the Village of Walden Planning Board and they would then begin the SEQRA process and also process a site plan application accordingly and act on SEQRA and this Board would act on any Zoning changes and the Planning Board would act on the site plan should it get that far. He does not feel we are at the stage to recommend a referral to the County or set a public hearing and suggests that the Board have the Planning Board get the opportunity to exercise clarification and identify any concerns that may arise. He knows that Trustee Adams had suggested some changes to clarify the language and we can do that but he recommends sending to the Planning Board as they may have other modifications as well.

Trustee Ramos made a motion to refer the Falcon Ridge Introductory Law to the Village of Walden Planning Board. Seconded by Trustee Sebring. All ayes. Motion carried.

Resolution 41-16-17 – NYS DOT Ulster Avenue Sidewalk Project

Trustee Adams made the motion to adopt Resolution 41-16-17 – NYS DOT Ulster Avenue Sidewalk Project. Seconded by Trustee Ramos. All ayes. Motion carried.

Public Comment

Anita Vandermark, 76 Highland Avenue, thanked the Mayor, John, and Tara for coming to the tea and especially thanked the Mayor for making 100 delicious scones. She asked about well #7 commenting that at one time she remembers there was a concern about the chemicals being used at the golf course that might be affecting the well.

Manager Revella replied there are no issues at that sight.

Anita asked what the hours for the park for children coming to play is.

Manager Revella replied daylight hours.

Anita commented that there are lots of times in the evening when people are down there playing basketball.

Payment of the Audited Bills

Trustee Adams made a motion to pay the audited bills. Seconded by Trustee Moore. All ayes. Motion carried.

Correspondence

Trustee Moore and the Village Manager both received a letter from the Winding Brook Homeowners Association and she will be following up with the Village Manager.

Miscellaneous Comments from the Board of Trustees

Trustee Ramos asked if we could send out some form of recognition to the various police agencies involved in Officer James' untimely death. He'd like to see us send something to the Legislature to recognize the Sheriff's Department, and the various Board members and Board of Town of Montgomery, Village of Maybrook, Ulster County, Town of Newburgh and anyone who helped us be safe in our time of need. They all truly went above and beyond in our time of need.

Trustee Adams thanked the Mayor for agreeing to be the emcee at the June 11th Flag Day ceremony. The committee will be doing some work at Veterans Park to do some in ground planters around the flag which will be nice to put the plants in ground. She thanked the Village Manager for helping to coordinate the work with Twin Ponds again. It should be good to go by Memorial Day.

Mayor Rumbold commented that the Historical Society tea was a wonderful event and is a fundraiser to help them maintain the house. Lots of people attended and everyone had a good time. Kudos to the committee who put in tons of hours to make it happen for everyone to enjoy. She echoed what Trustee Ramos said and added that no one will ever be able to thank properly all the agencies from other communities who came together to help us through a difficult time during the passing of Investigator James.

Executive Session

Trustee Sebring made a motion to enter into executive session to discuss potential litigation involving the DEC, potential sale of property related to 3 Cherry Street, and the personnel history of a particular person. Seconded by Trustee Ramos. All ayes. Motion carried.

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Motions & Resolutions**

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