

**Village of Walden  
Board of Trustees Regular Meeting  
April 17, 2018**

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	Faith Moore
	Trustees	Larry Kraus
		John Ramos
		Dan Svarczkopf
		Lynn E. Thompson

Absent:	Trustees	Brian B. Sebring
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Also Present:	John Revella, Village Manager
	Tara Bliss, Village Clerk
	Dave Donovan, Village Attorney

**Public Hearing – Local Law 2 of 2018 – Repealing Chapter 153: Fluoride**

Trustee Ramos made the motion to open the public hearing for Local Law 2 of 2018 – Repealing Chapter 153: Fluoride. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Mayor Rumbold announced she would limit comments on this topic to 3 minutes.

Dr. Paul Connett, retired professor of Chemistry and current director of the Fluoride Action Network, explained this presentation normally takes him an hour and 15 minutes but he will do his best to limit his comments. He taught at Saint Lawrence from 1983 to 2006 and his specialty is in environmental assessment and toxicology. His wife got him involved in this in 1996. For the last 22 years he has studied this issue and he is disturbed; it is a foolish practice. To summarize, water fluoridation is unusual and most countries do not do this. Over half the people that drink fluoridated water are in the United States, it is very much an English speaking thing; Australia, New Zealand, Canada, Ireland, U.S., and a few more do it. It is unnatural. Yes fluoride occurs naturally but nature's view of fluoride is keep it away from the babies. The level in Mother's milk is remarkable low. It wouldn't make sense for the first meal that a baby has to have no fluoride in it if indeed it was useful. He believes mother's milk is protecting the baby and water fluoridation is removing that protection. The level in mother's milk is 0.004 and water fluoridation is 0.7 which is 175 times higher. It is clumsy and unethical. When you put fluoride in the water it is a medicine and you can't control the dose, you can't control who it goes to as you can't regulate how much people drink, it goes to everyone, infants, bottle fed babies, sick people, malnourished people, people with low kidney function who can't get rid of the fluoride, and it goes to families who can't afford avoidance measures like expensive reverse osmosis equipment. Whilst it claims to be equitable it is inequitable. The very people that can't afford to avoid water fluoridation are the very people who are most likely

to have poor diet, low income, and poor diet exacerbates the toxicity of fluoride. There is no evidence that fluoride is a nutrient. Even the promoters of fluoride admit that the predominant benefit is topical. So if you want fluoride, brush it on your teeth and spit it out. Also teach the young children to brush properly, have healthy snacks at school; get the sugary snacks out of school. This is what they have been doing in Scotland and has been remarkably successful. They have reduced the cost of dental care for children under 5 by 50%. Why is that? Because if you have access to parents then you can fight tooth decay in the first teeth which is called baby bottle top rot which is caused when a baby sucks on a bottle for hours on end, it rots the top teeth and leaves the bottom teeth. It leads to operations under anesthetics for young children which is both traumatic and very very expensive for society. It is unsafe; fluoride damages many tissues there is no question about that, fluoride is extremely toxic. The issue is at which levels and could those levels at which we are exposed to hurt us and the answer is yes. We just had a 12 year government funded study using research funded by the National Institute of Health, National Institute of Environmental Health Sciences, and the Environmental Protection Agency, using research scientists from Toronto, Magill, Michigan, Indiana, Harvard, and Mount Sinai who have between them written up to 50 papers on the same kind of studies with mercury and lead so they know what they are doing. They found a strong correlation between the exposures of mothers during pregnancy and lowered IQ in offspring. At the very levels that we adults are exposed to in the U.S. there was a 6 point IQ drop in those children. He can't tell you how serious that is; in fact a shift in those 6 point drops across the whole population would half the number of very bright children and increase by 50% of the number that are mentally handicapped. That is utterly dramatic. If you think of the U.S. we have to have our brightest people working for us in a global economy as this is a very competitive world we live in. It is not as if this is lead or gasoline we are dealing with, we got all those things out. This is something that we are deliberately doing to ourselves and we don't have to as there are alternatives. Finally it is unnecessary, there are better alternatives. When he was fighting incinerators he and his wife got knee deep into risk assessment and no one can read them, no one can understand them but his colleague could so we got sucked into those assessments. He has a one sentence risk assessment for fluoride: No risk is acceptable if it is avoidable. Water fluoridation is avoidable and he does hope that you will set an example for many other Villages in NY State and end this.

Becky Pearson asked what it cost to put fluoride back in the water last time.

Manager Revella replied between \$14-16,000 to fix the system that was broken and put it back into the water.

Mary Ellen Matise added that fluoridated water affects the bones and causes health conditions in older population. 10% of our population is over 65 that you are affecting with fluoridated water that don't need it at all.

Trustee Ramos made the motion to close the public hearing for Local Law 2 of 2018 – Repealing Chapter 153: Fluoride. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Deputy Mayor Moore made the motion for Negative Declaration under SEQRA for Local Law 2 of 2018 – Repealing Chapter 153: Fluoride. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Svarczkopf made the motion to adopt Local Law 2 of 2018 – Repealing Chapter 153: Fluoride. Seconded by Trustee Thompson. All ayes. Motion carried.

### **Public Hearing – Local Law 3 of 2018 – Tax Cap Override**

Manager Revella explained that we will not be over riding the tax cap with our budget so we do not need this local law so there is no need for the public hearing.

### **Public Hearing – 2018-2019 Village Budget**

Deputy Mayor Moore made the motion to open the public hearing for 2018-2019 Village Budget. Seconded by Trustee Thompson. All ayes. Motion carried.

Brenda Adams wanted to say that this was the most complete budget presentation she has attended to date either as a community member or as a Trustee. She felt that the Manager and Treasurer worked very well together and it was very complete and impressive. Knowing that the budget is always challenging to take care of the tax cap to meet the needs of the Village and balance the taxes to the residents she understands why you were looking to increase the garbage fees which is not a lot of money she believes it was \$7 to a regular family and \$5.60 to seniors. As much as she understands your reasoning she feels it is a back door tax like the Governor always does. He tells us he is reducing our taxes and protecting them and then he hits us with \$5 on our motor vehicle fees and fishing licenses so he gets bragging rights that he doesn't deserve. The garbage is an area where you are not in a deficit for sustaining the project. She personally would prefer you to reduce or delete some of the subsidized programs that the public has to pay into or just be honest with the public and tell them you have to increase taxes to cover these costs. All of the items that we subsidize are quality of life programs and they are all great programs. She would like to point out 2 or 3 of them and before anyone feels bad about it, it is just a matter that we spend money on these subsidized programs and we spend money on them. The Summer Youth Employment Program costs \$3,299 plus payroll taxes. It is a great program and a very important program where there are benefits to a handful of students. The Haunted House we put in \$5,000 for revenue and \$5,000 for expenses but it doesn't count the cost of the payroll for running it and last year it was about another \$5,000. The dances are fun, the kids enjoy it, but they are not always well attended and there is a DJ cost with it. They are all great things but do we need to do them. They are what makes Walden special but do we need to do them. Our police do the temple events. The \$4,000 that is in the budget was split last year between Parks and Police and 1 event alone cost more than \$4,000. Even the one where they hired their own security was \$7,800 still spend when they had their own security that is subsidized by the public. Maybe if something is built into the police budget to cover those kinds of event costs we should talk to the temple and tell them they either have to pay or hire their own people that we really can't afford to subsidize that. She was wondering if there were changes to funding things such as dispatching and all that.

Manager Revella replied there was no change.

Brenda continued by asking if they were doing all the cuts that Trustee Moore recommended at the last hearing.

Manager Revella replied not sure if we were doing all the ones she suggested.

Brenda asked about the crossing over for building department to reduce the Secretary there.

Manager Revella confirmed we did do that.

Brenda asked about capping the summer camp program so you could put a number on the top.

Manager Revella replied that they didn't change that.

Brenda asked about salt.

Manager Revella replied we did reduced salt by \$13,000.

Brenda asked if there were any other big ticket items that you cut.

Manager Revella replied \$7,000 from Parks personnel was cut and we capped the health insurance buyouts at \$4,000. There was a reduction of the full time secretary for DPW who will be starting later in the year. Also slight adjustments from Vicki and the new position that also caused some savings and adjusting that schedule.

Brenda asked if they had a reason for capping the health insurance buyouts at \$4,000.

Manager Revella said they looked at a lot of other contracts and they are all over the place but it seems reasonable based on what we are spending now. It is less than half the single coverage and still enticing people to take it as opposed to taking the family coverage.

Brenda replied most of what she saw was that they get around \$2,400. She hasn't done the research that you have but that is what she saw. Also the Police Department Stop DWI grant does take people under the influence off the roads and makes it safer but all the fines go to Orange County, so it is really a self-serving grant. Mr. Neuhaus, County Executive, brags about keeping his taxes down and taking care of the CSEA contract but she doesn't know if you are aware that in the last one he just did not only was it far behind but it was 0 for first 3 years a flat rate in the 3<sup>rd</sup> year and a small percentage for the 5<sup>th</sup> year and they also had to increase the health insurance contribution. Don't want to see us just do the same thing, she wants to see us do what is right, not that it comes from the back door.

Becky Pearson commented that she missed the last budget meeting where there was a lot of discussion, her apologies. Is there a report how often they use their tasers.

Manager Revella replied no.

Becky clarified so there is nothing about using it on people.

Manager Revella replied that they do have to do a report when it is used but not a separate report.

Becky asked how often a year we are talking roughly.

Manager Revella commented that if you are suggesting that we eliminate it; he doesn't know.

Mayor Rumbold interjected that most of the officers feel that it is used more often as a

deterrent as just by taking it out of the holster it deters people from doing things. He may be re-holstered but it did its job.

Becky asked doesn't a gun do that as well. Just a question.

Mayor Rumbold replied that guns are lethal and tasers are not and if you are going to get the same result she would rather they use a non-lethal weapon.

Becky asked if we still had a problem with parking on Main Street. Are they still giving tickets out? What is our revenue taken in on that?

Manager Revella replied that the number of tickets written out vs the amount of revenue taken in are two different issues. She writes tickets every time she is working but it's a part time position.

Becky asked what the revenue is off of that.

Manager Revella replied he didn't know.

Mayor Rumbold replied she is not sure it is so much the revenue rather than keeping the streets clear so that people can get in and out of the stores on Main Street.

Becky stated that a long time ago it was going to be reviewed whether or not it was still necessary.

Mayor Rumbold replied that working on Main Street and watching what goes on every day, she would say it is necessary.

Becky replied it is necessary unless we aren't making any money on it. If it's not making any money what is the point of it?

Manager Revella replied because it helps the stores.

Mayor Rumbold replied the question is not whether the Village is making money the question is whether the business owners on Main Street are making money, not the Village. The stores on Main Street wanted this type of enforcement. The bigger issue on Main Street is when trucks stop and have to go into Millspaugh Furniture to find out where they have to drop their stuff.

Becky replied she can't help that she is not part of that.

Mayor Rumbold replied she understands that but feels the bigger issues is whether the business people are happy that people can get into their stores.

Becky didn't understand if Foot patrol is in or out.

Manager Revella replied it is in. He clarified that Foot Patrol is not really a thing it is just a line for Part Time officer that can be used for anything that a part time officer is needed for, not just Foot Patrol.

Mayor Rumbold added that we do have foot patrol as in we have officers that park the car, exit it and patrol on foot.

Becky asked if the 911 issue got resolved, talking about dispatchers and all that.

Mayor Rumbold said that the County will resolve that at some point.

Becky thought it was about paying dispatchers she doesn't know what you took out.

Manager Revella replied that we didn't take that out, Brenda went over those things earlier.

Becky asked if National Night Out program is always going to be at the school.

Manager Revella replied no it will still rotate but the Town location will be at the school. Our location is Bradley Park. Village of Maybrook are in as well but the Village of Montgomery has declined it at this time but that may change later.

Becky asked what is in Capital.

Manager Revella replied we have new software, a new loader, and additional improvements at the DPW facility such as a fuel tank, paving, and exhaust system in the bays that are required under PESH. We knew about it, the project was just phased. There is also a mobile lift, a curbing machine, and the Ulster Avenue sidewalk project our portion of that project cost which is \$300,000.

Becky asked if police still has to be hired off the list.

Manager Revella replied yes for Full Time but they could also transfer.

Becky said you talked about Park personnel minus \$7,000; what does that mean?

Manager Revella replied for Parks employees that do mowing and shoveling. Reducing hours available to Part Time people.

Becky asked if they were laying off people.

Manager Revella replied no.

Becky doesn't understand why our programs don't pay for themselves.

Manager Revella replied that not everyone can afford them so we subsidize so that people can. We try to get as close as we can.

Becky replied that we are talking about those that come from out of our Village.

Manager Revella replied we increase those fees every other year about and we got an increase in the subsidies from the Town as well. Those programs have never paid for themselves in 50 years.

Becky replied they should start. She still doesn't understand why Cal Ripkin is not included in paying for those baseball fields.

Manager Revella asked why Little League didn't pay for it.

Becky said she was asking the Board not you, she wants their answers. Cal Ripkin costs a lot of money to be a part of, she was looking it up today. Her tax dollars are paying to upkeep that field and most of those kids are not from here.

Manager Revella replied that 400 kids are from Walden.

Becky commented that she still thinks they should pay for something. Maybe fix the building. She read on the website something about donations and meet them at the concession stand. That building needs help the building is falling apart the stairs are falling apart why aren't they paying for it? They don't have to pay for everything but give us something give us a stipend towards it. Yes, they may maintain the fields but they aren't paying for, she has been saying this for years. She has said it every year for every budget even when she was Mayor. Not the whole thing but part of it. It is your decision to make.

Trustee Thompson asked if the reason we don't have them contribute because Little League didn't, is that the rationale.

Manager Revella replied the reason is because any entity could be using the field and the object is that whatever entity is using the fields to maintain them; that was the payoff. For as long as he knows Little League was the only one using the field and the building, electric/water/sewer; that is just what was always done. This is really the first full year they aren't using it at all. There are other travel teams using it. There is another organization that is using it and not sure if that is a policy change you want to make.

Becky feels they should be paying. Why aren't the traveling teams paying for it? You mow it, you fertilize it, you fix everything like where the people sit and they don't contribute to any of that.

Manager Revella replied that they do contribute to the economy by bringing in the parents and families here.

Becky said good she is glad to hear it but they should have to pay for it. Like Wooster Grove you have to pay to use the building down there. You are missing out. Why is this any different? This has been her beef for years. Do we have money to fix the concession stand? Because the building needs repairs; the stairs and the holes.

Manager Revella replied he is getting quotes for the stairs and the fascia. There is a park maintenance line for Bradley Park in the budget.

Becky thought the Salary survey was supposed to be done before the budget sessions.

Manager Revella replied it was.

Becky replied well it seems no one had a copy of it.

Deputy Mayor Moore clarified that what you may have heard was that we didn't have a copy in front of us at that time. We have had a copy of it since December when we got it.

Becky continued and asked about Mr. Bliss who asked for a large increase. Did you  
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decide what his increase is going to be?

Mayor Rumbold replied that we are bringing him into parity as suggested by the salary survey and he'll get his raise as everyone else is doing.

Trustee Svarczkopf asked if that was true.

Mayor Rumbold replied that is what she thought.

Manager Revella replied that that everyone is getting the same raise except for some people who are taking on additional duties. It is 2% and there are 2 people taking on additional duties getting a little bit more: Deputy Treasurer and the Deputy Treasurer/Clerk as they are taking on the finances for the Building Department.

Becky confirmed everyone else is 2% across the board.

Manager Revella said that is correct as of right now. We are still negotiating 2 contracts that we don't really know what that increase will truly be. The Mayor is correct, we were considering bringing the Rec Coordinator into parity in accordance with the salary survey.

Becky asked what that is.

Manager Revella replied \$67,000 and change with the 2%, excluding benefits, FICA, retirement etc.

Mayor Rumbold stated the Salary Survey just dealt with salary.

Becky asked about this building are you going to put any money into this building. The soffit around the building that needs to be repainted badly and the roof.

Mayor Rumbold replied we got estimates for that it was around \$64,000 for one side.

Becky advocated that this is the Village center, your building.

Mayor Rumbold explained there was a leak we had to deal with we had estimates for that. Other than we did have to have the window fixed by the Library. We fixed that this year due to the drains in the balconies.

Becky clarified she was talking about next year.

Mary Ellen Matise asked if they were planning on voting on the budget tonight.

Mayor Rumbold replied yes.

Mary Ellen stated that any comments made have no chance on being incorporated into the budget.

Manager Revella asked why not.

Mary Ellen reminded them that State law says it doesn't have to be approved until May 1<sup>st</sup>  
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and you have a meeting that night.

Deputy Mayor Moore made the motion to close the public hearing for 2018-2019 Village Budget. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Ramos made a motion to revisit the 2018-2019 Village Budget. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Trustee Svarczkopf asked if all the changes that were made on Friday can we go through those 1 by one to make sure he understands them. The reduced cross over on the safety inspection.

Manager Revella replied that is the secretary position, Vicki is planning on retiring so that is a savings of about \$15,000.

Trustee Svarczkopf asked what happens if we reduced the Parks employees by \$7,000 what happens if we reduced those hours but the grass still needs to get cut. How does that work?

Manager Revella replied that it was actually reduced to the amount it will be this year at the recommendation for the Recreation Coordinator.

Trustee Svarczkopf asked about the insurance buyout changes of \$38,000 that has to be agreed upon by the unions for that to take effect.

Manager Revella replied yes.

Trustee Svarczkopf said he doesn't like that \$38,000 of our budget is based on something that might not happen. Is there any indication that they would be interested in doing that?

Manager Revella replied that he can't discuss that at this moment. We talked about 3 areas we could realize a savings; % raises, capping insurance buyouts, and the 3<sup>rd</sup> was looking at insurance options overall for the entire Village and the least obstructive in our eyes would be the reduction of the insurance buyout.

Trustee Svarczkopf said the reason he is looking at that is because almost half of our savings is a maybe and he can't vote on a budget that we hope will happen. So we either need to find another means of savings or wait until the negotiations are done but he knows he can't do that and can't wait to vote either.

Manager Revella replied correct, you can't say what will happen in negotiations. As of right now if we don't have new contracts by June 1<sup>st</sup> the salaries stay flat until we do that and then whatever is passed would be retro with an increase. We budgeted to make sure we had room at 2%. Obviously he can't speak about what we are going to ask for and negotiate.

Trustee Svarczkopf commented that as far as he is concerned he can't vote on that until there is a change there. He knows we left it up to your discretion with the salary increase to bring Mr. Bliss up to parity with everyone else. He knows that didn't get in here. Again he is asking you to find \$38,000 worth of savings and then asking you to increase that.

Manager Revella replied it ends up being \$5,300 with 2% and benefits.

Trustee Svarczkopf asked what the figure was.

Manager Revella replied he doesn't know the exact amount but it ended up being \$67,000 plus just in salary.

Trustee Svarczkopf asked if that why you didn't put that in there.

Manager Revella replied yes he doesn't have room still.

Trustee Svarczkopf asked about the contractual expenses that was refuse and garbage we have \$10,000 savings from the contract from the garbage company.

Manager Revella replied we had to adjust the garbage lines because we had done an evaluation of actual costs and actual revenues and made adjustments based on that and we were also contemplating a fee increase on that. The Deputy Clerk/Treasurer did an audit of those bills and we adjusted the bills.

Trustee Svarczkopf asked about the state retirement; there is all savings there from salary and buyout changes. Was it all just the buyout changes?

Manager Revella replied when we did adjustments we adjusted a few different things. When we did the Police and Fire buyouts we still have to pay those benefit costs just as you would payroll so it adjusts all those other lines.

Trustee Svarczkopf clarified that by reducing the insurance buyout it also reduces the benefits.

Manager Revella confirmed.

Trustee Thompson asked what if things don't go as planned; what will we do then?

Manager Revella replied we would need to reduce other lines, under spend, or use fund balance if it doesn't come to fruition.

Deputy Mayor Moore asked about the increase of the garbage fees does it work out to \$7 for family. She thought it was \$6 per family.

Manager Revella replied it is less for seniors and more for non-seniors.

Deputy Mayor Moore commented that at the last budget review you were looking into the difference in summer camp employees and that was justified by minimum wage increase and staff increase for 5-6 year olds.

Manager Revella confirmed.

Mayor Rumbold asked if he spoke with Mike about the possibility of capping summer camp. What did he think?

Manager Revella said he would do whatever he was directed to do. He personally doesn't

like having to cap turning kids away that need an opportunity sometimes. He feels a positive impact is made.

Trustee Svarczkopf asked if there were any other places we could pull \$38,000 from.

Manager Revella replied we would do less without touching fund balance. We can hope that our cars don't break down as much and there are a lot of areas to look at. We are on a pretty tight budget as it is.

Trustee Thompson asked if doing a little more research into the issues that Becky brought up would be something the Board would consider. Re-evaluating that we don't access fees to Cal Ripkin for field use. She is happy to do some research on that.

Manager Revella replied that we have done that as well and Mike has been talking to them as well since they are using the concession stand to figure out what would be a reasonable cost in lieu of repairs.

Mayor Rumbold stated that when she belonged to Montgomery Little League we had a Ladies Auxiliary that ran the booth and we kept money back as seed money for starting the following season and everything else we turned over to the Little League Board and they did what they wanted. We bought all the equipment for the building like refrigerators. She suggested that maybe it's time to evaluate what is used like electricity. She is not sure how good the equipment is there.

Manager Revella replied that equipment is not ours.

Trustee Thompson commented that her son was involved in stuff like this not too long ago and we paid a lot of fees to use facilities. She doesn't think the idea is so outlandish. A lot of fundraising that goes on to do that.

Mayor Rumbold stated that when the question was asked about Cal Ripkin it was said that the majority of the kids were Village of Walden kids that is what she was told.

Trustee Thompson understands it is a large number but is there a way to generate some income for use of the fields.

Mayor Rumbold asked who the travel teams are that use the field.

Manager Revella replied there is a softball travel team that uses it on some weekends, not all year and Cal Ripkin has their own travel teams that use the field as well.

Mayor Rumbold understands that we maintain those fields because that is our job as the Village, mow the grass and keep the outfield. She understands that they pay for the clay, they line the fields, rake them and take care of them in that manner during the season, and she gets that. The building has always been her question, the bathrooms, the supplies, utilities. Do we know what it costs for the electric for the year?

Manager Revella replied we have a separate meter.

Trustee Thompson asked if our employees clean up after all the activities down there.

Trustee Ramos replied we clean up all the garbage and the bathrooms.

Trustee Thompson added that is more money we are spending there and it might be something worth looking into.

Trustee Svarczkopf asked about the mobile lift, that costs \$40,000.

Manager Revella replied that comes from capital funds and does not affect the tax rate and tax cap this year.

Mayor Rumbold asked if we could get the expenses together for down there and discuss this at a later date for the Park.

Manager Revella replied yes.

Deputy Mayor Moore made the motion to adopt 2018-2019 Village Budget. Seconded by Trustee Ramos.

Roll Call Vote:

- Trustee Ramos: Aye
- Mayor Rumbold: Aye
- Deputy Mayor Moore: Aye
- Trustee Thompson: Nay
- Trustee Kraus: Nay
- Trustee Svarczkopf: Nay

Motion failed.

**Public Hearing – 2019 CDBG Application**

Trustee Ramos made the motion to open the public hearing for 2019 CDBG Application. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Manager Revella explained that we have been trying to concentrate on sidewalks and sewer and the DEC would rather we focus on sewer. We are looking at an area near Sherman Avenue and Elm Street. We would ask for a 1 year grant for up to \$125,000 to work on that issue.

Deputy Mayor Moore made the motion to close the public hearing for 2019 CDBG Application. Seconded by Trustee Kraus. All ayes. Motion carried.

Trustee Ramos made the motion to adopt Resolution 41-17-18 2019 CDBG Application. Seconded by Deputy Mayor Moore. All ayes. Motion carried

**Village Manager's Report**

- Lot of his time has been spent coordinating with special counsel on both union negotiations and meeting with the Treasurer and Board members on the budget.
- Lot of requests for payment plans for the water and sewer bills prior to the relevy. Sent out shut off notices for those who owed over \$500 if not paid by today. Still have payments coming in.
- He was able to give Trustees Svarczkopf and Kraus tours of the Village.

- Conducted Interviews for DPW Superintendent and appointed Fred Perna to the position based on the Civil Service List and rules and regulations.
- Have been working on interviewing candidates for Full Time Police Officers with Chief Holmes there are several we are going to follow up with.
- Spoke with Chief, DPW Superintendent, and the Recreation Coordinator about negotiations with no issues.
- Attended the Board budget hearings
- Discussed with DOT the issues near Highland Avenue. Move project.
- Building Inspector regarding protocols and correspondence been some follow up on that as well.

Deputy Mayor Moore asked if the Building Department completed the standard operating procedures.

Manager Revella replied no.

Deputy Mayor Moore asked if a timeframe was given as to when it would be completed since it was asked to be completed by April 15<sup>th</sup>.

Manager Revella replied that they discussed it with the Building Inspector today but he can't discuss it in an open meeting.

Deputy Mayor Moore asked for the support of the Board to ask that it gets done prior to the next Board meeting as something we can look at. The Building Department has no standard operating procedures for the Building Inspector, Code Enforcement Officer, or Building Department Secretary and/or the Fire and Safety Inspections. She feels it is extremely important since we are getting ready to charge fees for the Fire and Safety Inspections that there is a clear set of standard operating procedures of how that is going to be completed.

Mayor Rumbold asked if that is something she personally asked the Manager to supply.

Deputy Mayor Moore replied yes and they had several conversations with that department as liaison and through the follow up meeting with the Village Manager as we switched Liaison-ships this was one of the items that was to be complete by April 15<sup>th</sup>.

Mayor Rumbold clarified that was not a request from the Board, it was a request from a liaison.

Manager Revella stated that he can't speak further without going into executive session to discuss the personnel history of a particular position.

Mayor Rumbold replied we can add that to Executive Session tonight.

#### **Approval of April 3, 2018 Re-Org Meeting Minutes**

Trustee Ramos made a motion to approve the April 3, 2018 Re-Org Meeting Minutes. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

#### **Approval of April 3, 2018 Minutes**

Deputy Mayor Moore made a motion to approve the April 3, 2018 Minutes. Seconded by Trustee Ramos. All ayes. Motion carried.

**Trustee's Committee Reports**  
**DPW Liaison– Trustee Sebring**  
Trustee Sebring was absent.

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

Trustee Ramos reported that he spoke with Mr. Bliss a few times. SI Play is up and waiting for registrations for summer camp, tennis, and flag football. Yankees bus trip is still up if you want to attend. First year of this so hopefully next year we can do 2 buses. School Board is looking at a 4.26% increase and they are planning to proceed to the public with that number. May 7<sup>th</sup> is the budget hearing and the budget vote will be May 15<sup>th</sup>. He feels there are some areas where they can cut, and he spoke to Superintendent Xanthis about that. He was thinking on his own they could get it down to more like 3.5% which would be a \$300,000 cut from what they presented. Hold on. Will have to continue.

Manager Revella asked if they gave their austerity number.

Trustee Ramos replied they did not give it.

**Police Department and Justice Department Liaison – Deputy Mayor Moore**

Deputy Mayor Moore reported that she spoke with Chief Holmes and is getting orientated to the Police Department and their Standard Operating Procedures because they have many of them and she is getting used to how that works. It is a learning process. All vehicles are in service and a new rotation schedule is now being used so they can all be used. Chief and the Village Manager are doing interviews for Full Time officer. According to Safe Wise we rank as the number 93<sup>rd</sup> safest cities in the Nation.

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

Trustee Thompson reported that she took the liberty to finish what she started with the Library and Town of Montgomery. Mr. Winchell has been told that the plates for the Hill Street Bridge will be given to the County in July so hopefully shortly thereafter will begin working on it. Looking into getting the rail trail sealed. It has never been done before. He is looking for donations but if none he will go out for bid. Ethics Board will be choosing members shortly and the Planning Board is next up. He put out an RFP to hire a new accounting firm. She has spoken with Ginny and she has been trying to connect but Dr. Connett presented in April about Fluoride and she had set up with Chief Holmes and the National Parks Service on Ellis Island. She is still struggling with the bids for the Children's section. Her Board had discussed having some type of rotating display of firehouse artifacts and Chief is happy to try to have something on display there. She met briefly twice with Dean Stickles and he was working on getting the list to Tara for the letters. He was away and is trying to play catch up. She did see a tentative form for the Fire and Safety Inspections. He said it was slow but steady and is working on the Standard Operating Procedures but they were not completed. 19 Bank Street he was trying to proceed with getting that taken care of but apparently the owners have declared bankruptcy and have to get a different type of attorney for that as Mr. Donovan does not does that.

Attorney Donovan stated that they were in court and the owner did appear and indicated that the case was still in front of the Bankruptcy Trustee so that means the Village is stayed from taking any enforcement action. You would need a motion from the Bankruptcy  
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Court to lift the stay so you would need a bankruptcy attorney not sure what he has done since then but we were in court not too long ago.

Trustee Thompson said she would keep the Board updated on that property.

### **Town of Montgomery & Library Board liaison – Trustee Kraus**

Trustee Kraus reported that he had nothing to report.

Mayor Rumbold asked if he has met with his department head.

Trustee Kraus replied no.

### **Village Offices Liaison – Trustee Svarczkopf**

Trustee Svarczkopf reported that he met with everyone and he is still wrapping his head around the whole thing. He got to know what they all do and will be going from there.

Mayor Rumbold read the community events into the minutes.

Manager Revella added that there are 2 additional items for discussion this evening; J- Consideration of a relevy fee for items relevied onto Village taxes and K-Garbage contract expires May 31<sup>st</sup> and we do have the option to renew for an additional year or RFP again but would need to know now so we can get that moving forward.

### **Public Comment on Business of the Board**

Becky Pearson explained that Arbor Day will be a little different this year as there is a new teacher this year and there will be no little trees this year to plant like we normally do as they have to be purchased through the school. Mr. Presutti will do a program this year at the Walden Elementary School either inside or outside at 9:45am on Thursday, April 26<sup>th</sup>. We are still planning on planting 2 trees at Olley Park in our tree farm area. She asked about the garbage contract is it for the same price.

Mayor Rumbold replied yes, just an extension, same as last year.

Becky asked about the Standard Operating Procedures for the Building Department did the Deputy Mayor ask the Building Inspector to have done or did she ask the Manager.

Deputy Mayor Moore replied it was something she asked to have done as part of being a liaison.

Manager Revella replied that they asked him together.

Becky thought it would be the Board's place to ask for that.

Manager Revella replied it is his place to ask, not the Board.

Becky continued that ok, now that he hasn't done it, it is your responsibility to handle that.

Manager Revella replied that he can't discuss in detail at this time.

Becky said the liaison thing, she is confused you had Trustee Thompson talking about the Town and the Building Department and Trustee Moore was talking about the Police Department and the Building Department.

Mayor Rumbold explained that there was a cross over when the liaison thing changed so she gave them the ok to finish any old business to complete what they were working on they had during the transition. She had told them to work it out with the new liaison.

Becky stated that the Liaisons have a lot of power.

Mayor Rumbold disagreed. It is a Board decision to have liaisons and they go to the Manager who is in charge of personnel with suggestions and bring it to a meeting. This was not talked about at a meeting because it is the job of the Manager to make sure there is operating procedures in place.

Becky asked how come we didn't know there were no standard operating procedures before now; he's been the Manager for years, but now all the sudden it's a big deal.

Manager Revella replied we weren't doing these inspections years ago and now that we are we tried to get the procedures in place.

Becky asked Trustee Thompson if she asked about the clear cutting at the old firehouse and what will be done about that. The trees were cut down from the back of that building to the river and it is against the law.

Mayor Rumbold replied that Dean did do a stop work order once they were informed that was happening.

Becky asked what the procedure is after that. They can be fined for that per our zoning code.

Mary Ellen Matise asked to clarify the abandoned properties draft law. Does vacancy the way it is written refer to a time period when a property that is available for rent is unoccupied?

Attorney Donovan stated that it could.

Mary Ellen asked if there is a time frame there. Usually a tenant moves out and maybe you have 30 days maybe it's not rented maybe it's 60 days. You don't have a time frame in here so you are not going to board up a house because it hasn't been rented for 30-60 days. Could you clarify that before you discuss it so we understand what you are talking about? She feels the vacant definition is not clear. Abandoned is clear but vacant is a different issue. What does it mean and does it apply to something vacant for a month or 2 when they are looking for a tenant.

Attorney Donovan stated there is a definition in the law and if the Board wants to amend it they can do that. If the suggestion is to have a time frame if the Board would like to do that it can be done.

Mary Ellen feels it could be considered differently than abandoned if it is a rental.

Attorney Donovan suggested that the intent of the local law is to improve the quality of life of the Village of Walden and he doesn't know that the time period is important but that is a determination for the Board. The importance is that it is registered and have it regulated. Don't know that you want to put a 30 day time frame on it as you may then have a dwelling

that is not being maintained but you can't enforce it because the time frame has not passed.

Mary Ellen asked about the overriding issue is the maintenance of the building.

Attorney Donovan replied that the overriding issue is the quality of life for the people in the Village of Walden.

Mary Ellen said she understands that but from what she has seen and the experience that she has had there might be a delay in the time period for when a person leaves and the when a tenant moves in. It could be that you are fixing up the building so if you are maintaining the building is that the overriding issue.

Attorney Donovan said that 213-1 has a part for evidence of vacancy.

Mary Ellen isn't sure it is addressed like that.

Trustee Svarczkopf said that 213-4 addresses that.

Mary Ellen feels the maintenance timeframe should be 30 days it is behoove you to maintain the building if you are trying to get a new tenant.

### **Action Items**

#### **Draft Local Law - Abandoned Properties**

Attorney Donovan explained that if the Board is so inclined you can set a public hearing for this draft local law before you. If you feel that there needs to be more work or changes made you can certainly direct me to do those and we can revisit it at the next meeting. If you would like to modify the law now depending upon the changes if they aren't too significant you can still set a public hearing to hear more from the public. It is up to the Board.

Trustee Ramos said that we are defining statements made by neighbors could be evidence of vacancy.

Attorney Donovan stated that it could be comments made to the Building Inspector and he or his agent would go and have to make an inspection it can't just be hearsay.

Trustee Ramos said the penalties would be a civil action and would be up to a Judge's determination not the Village.

Attorney Donovan replied that is correct.

Trustee Svarczkopf asked about the fines it says maximum fine of \$500, is it per day.

Manager Revella said that is all we are allowed as a Village to do for fines, fees are separate.

Attorney Donovan replied no, we have an annual fee in here, not per day. The fee that you charge needs to have some parity with the services rendered. You don't get per day automatically each separate day the Building Inspector would have to go there each day and say he observed the following conditions and then do the same thing the next day and the next day if you do not do that it's not a separate offense.

Deputy Mayor Moore asked about the violations, if the Building Inspector does that on a daily basis he himself would then bring it to court.

Attorney Donovan replied yes, with the attorney because he is the witness.

Manager Revella added just like a Police Officer.

Trustee Svarczkopf clarified that he is not required to go every day.

Attorney Donovan replied correct but if you want to impose a penalty for each day he would have to go daily. He can't go on June 1<sup>st</sup> and then again on June 30<sup>th</sup> and say it was for 30 days.

Deputy Mayor Moore asked if our Landlord Registry can be part of verifying vacancy and abandonment as part of this.

Attorney Donovan replied it could be. He has discussed this with the Manager that there is some overlap here between the Landlord Registry, this proposed law, and between the State of NY and our local property maintenance code. He would describe this as another tool in the tool box.

Trustee Svarczkopf made a motion to set the Public Hearing for the Draft Local Law 3 of 2018 - Abandoned Properties for Tuesday, May 1, 2018 at 6:30pm or as soon thereafter as the matter could be heard. Seconded by Trustee Thompson. All ayes. Motion approved.

**Arbor Day Celebration – Thursday, April 26, 2018 9:45am at Walden Elementary School**

Trustee Ramos made a motion to approve the Arbor Day Celebration – Thursday, April 26, 2018 9:45am at Walden Elementary School. Seconded by Deputy Mayor Moore. All ayes. Motion approved.

**Temporary Event Sign Request – Col Bradley Hose – Flower Sale 5.12.18**

Deputy Mayor Moore made a motion to approve the Temporary Event Sign Request – Col Bradley Hose – Flower Sale 5.12.18. Seconded by Trustee Ramos. All ayes. Motion approved.

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Trustee Ramos made a motion to approve the Temporary Event Sign Request – Col Bradley Hose – Breakfast with Santa 12.2.18. Seconded by Trustee Thompson. All ayes. Motion approved.

**Fees for levying charges onto property taxes**

Attorney Donovan stated that it has been brought to his attention that there is an administrative cost associated with levying the water/sewer fees and other fees onto the  
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taxes so the suggestion was made to amend the fee schedule to add an administrative fee when they are recouped when the County reimburses us for taxes. The fee suggestion amount is \$25.

Deputy Mayor Moore made a motion to amend the Village fee schedule to include a \$25 administrative cost fee for relevying any unpaid charges onto Village taxes. Seconded by Trustee Thompson. All ayes. Motion carried.

### **Renewal of Garbage Contract**

Manager Revella explained we have the option to renew last year's garbage contract for another year. We don't need to make a decision tonight but just wanted to make sure the Board discussed it tonight. It would be nice to know so we have time to RFP. We have the option to extend for another year at the same rate. The only thing that is possible to change is if the tipping fees change by the County. If that happens then we would have to pay more.

Mayor Rumbold asked where that money would come from.

Manager Revella replied from our budget.

Mayor Rumbold commented that there are things that happen that you can't control. That is why our budget is almost like a living document because it changes all the time with budget adjustments to make provisions like this for things that happen.

Manager Revella added that if you consider for another year then at least we would know what our fees would be for the next year and we don't have to worry about putting out an RFP and possibly paying more.

Trustee Svarczkopf made a motion to extend the current garbage contract with Interstate Waste for another year; June 1, 2018-May 31, 2019 at the same rates. Seconded by Trustee Ramos. 5 ayes, 1 no (Mayor Rumbold), 1 absence (Trustee Sebring). Motion carried.

### **Public Comment**

Mary Ellen Matise stated she is still confused about the vacant properties. Attorney said it is not his law but then the Board members kept asking the Attorney to explain the law because at the last meeting the only person who talked about it was the Attorney. It is not as simple as a few other things you did here tonight. Now you are setting it for a public hearing and one person admitted to not reading the law. The public knows less than you know and it doesn't seem like the Board even knows how this law will work because it was worked on by the Manager and the Attorney, not by the Board. The Board didn't have this idea and asked the Attorney to work on it and she thought that was Standard Operating Procedures for a Village Board. You are elected officials and we are the bosses. We pay for you to be here, we vote for you to be here, you are representing us and if you are not then I give up. She has repeated asked for a comprehensive way to look at housing problems in the Village of which there are many: abandonment, maintenance, procedural issues, and lots of issues. She had an interesting situation recently about a neighbor's property and she is sending an absentee landlord a certified letter who will likely not pick it up and it's about a dead tree which is a violation in the code. Why is she sending that, it's

a code violation? She has been asking let's have a housing task force, let's not do this piece mail and now you have a law and you don't even know what it says.

Mayor Rumbold asked how she knows that.

Mary Ellen replied based on the discussion you had here.

Mayor Rumbold said it's not fair for her to draw conclusions from one person.

Manager Revella stated there were many discussions on Zombie laws over the past year and this is based upon those discussions, this is not new.

Mayor Rumbold replied that when the Attorney says it's not his law it is not it is ours but he writes that in "legal ease" because that is the way it has to be written.

Mary Ellen replied it is written in plain English because once it becomes code then the public has to understand it.

Mayor Rumbold said she seems to be the expert they can be referred to you. You are saying we don't know what is in the law and that is not true.

Mary Ellen replied then tell me what is in the law. How does it affect a vacancy that is being rented out?

Mayor Rumbold replied we aren't going to board it up 10 minutes after it is vacant.  
Mary Ellen asked what it says in here.

Mayor Rumbold said she just read it not a half hour ago that you are confused you don't understand what vacancy means vs. abandonment. You want us to put a time frame on it. Why put a time frame if we aren't going to do anything about it anyway. You accuse us of not doing anything.

Mary Ellen said she didn't say to put a time frame.

Mayor Rumbold replied yes you did.

Mary Ellen stated that we do have a time frame on permits, they get a permit and they have 30 days to start the work what happens if they don't. There is a house up on the hill she has been watching since February 1<sup>st</sup> they haven't started work yet and they haven't done anything, then what happens. What is the procedure then?

Mayor Rumbold said that people can get extensions.

Mary Ellen asked what the point is of saying they have to start within 30 days.

Mayor Rumbold asked what if something happens to the guy, what if he breaks his leg, his dog dies.

Mary Ellen commented that is a property that is vacant, the windows are wide open, and it has been reported on several times, Village employees have gone and looked at it several times. Why are the windows still wide open? Doors open too.

Mayor Rumbold said a property owner has a right to leave their windows open.

Mary Ellen asked all winter.

Mayor Rumbold replied it is none of your business.

Mary Ellen said it is a vacant property. Why isn't it boarded up?

Trustee Svarczkopf said that according to this law it would be our business.

Mary Ellen said it is the Village's business and according to this law any resident can report this.

Manager Revella asked for an address.

Mary Ellen replied 31 Clinton Street, it is a disaster.

Manager Revella asked if she contacted the Building Department.

Mary Ellen replied yes, several times.

Trustee Svarczkopf said he wanted to clarify that he said he hasn't read the entire law. The only reason he wouldn't vote that way is because the lawyer specifically said number one that this would bring more discussion from the public and he does want to hear from the public. So this doesn't says we are doing anything yet we are going to get input from the public.

Mary Ellen replied you can get input from the public without having to put it out for a public hearing. She doesn't feel it is ready for a public hearing. Don't just rubber stamp it.

### **Payment of the Audited Bills**

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

### **Correspondence**

None

### **Miscellaneous Comments from the Board of Trustees**

Trustee Ramos commented that he attended the Eagle Scout celebration for Troop 31 on Saturday and it was well-attended by all the politicians in the area. Always good to see young adults entering into the world. Senior luncheon today was a wonderful event.

Deputy Mayor Moore reminded everyone that bulk pick up is Sunday April 22<sup>nd</sup>. Aryn's Breast cancer fund is holding a fundraiser on April 26<sup>th</sup> at Sweeney's for a local young lady diagnosed with breast cancer from 7-9pm. The Orange County Municipal Planning Federation set their training dates which are 4/20 for the all-day training class and 5/8 for

the evening class. Thanks to the Treasurer and her department. There were very obvious changes this year in the budget sessions vs last years session and they were very pleasant so thank you to you and your staff for making that happen. The Eagle Scout event was great as was her first Senior Luncheon today.

Trustee Thompson attended a fundraiser on Sunday for Assemblyman Miller which was very nice.

Trustee Svarczkopf seconded the comments about the Treasurer. He hasn't seen it in the past but he did appreciate how well it was laid out. He asked about the Auditor bids.

Manager Revella replied yes, they are on his table for your review and selection. We have 2 bids that came in RBT and Nugent & Haeussler and they were both for the same amount. You can interview if you would like as well.

Mayor Rumbold thanked the Manager, the Treasurer, and the Department Heads for working so hard on the budget. Thanks to the public for attending the budget hearings. Thanks to Trustee Thompson for getting Dr. Connett to come for the presentation tonight as well as last week.

### **Executive Session**

Deputy Mayor Moore made a motion to enter into executive session to discuss potential litigation regarding the property located at 20 Galloway Lane and the employment history of a particular person. Seconded by Trustee Svarczkopf. All ayes. Motion carried.

### **Reconvene**

Deputy Mayor Moore made a motion to reconvene the regular meeting of the Board of Trustees. Seconded by Trustee Kraus. All ayes. Motion carried.

**Village of Walden Board of Trustees  
Regular Meeting  
April 17, 2018  
Motions & Resolutions**

**Public Hearing – Local Law 2 of 2018 – Repealing Chapter 153: Fluoride**

Trustee Ramos made the motion to open the public hearing for Local Law 2 of 2018 – Repealing Chapter 153: Fluoride. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Trustee Ramos made the motion to close the public hearing for Local Law 2 of 2018 – Repealing Chapter 153: Fluoride. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Deputy Mayor Moore made the motion for Negative Declaration under SEQRA for Local Law 2 of 2018 – Repealing Chapter 153: Fluoride. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Svarczkopf made the motion to adopt Local Law 2 of 2018 – Repealing Chapter 153: Fluoride. Seconded by Trustee Thompson. All ayes. Motion carried.

**Public Hearing – 2018-2019 Village Budget**

Deputy Mayor Moore made the motion to open the public hearing for 2018-2019 Village Budget. Seconded by Trustee Thompson. All ayes. Motion carried.

Deputy Mayor Moore made the motion to close the public hearing for 2018-2019 Village Budget. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Ramos made a motion to revisit the 2018-2019 Village Budget. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Deputy Mayor Moore made the motion to adopt 2018-2019 Village Budget. Seconded by Trustee Ramos.

Roll Call Vote:

Trustee Ramos: Aye  
Mayor Rumbold: Aye  
Deputy Mayor Moore: Aye  
Trustee Thompson: Nay  
Trustee Kraus: Nay  
Trustee Svarczkopf: Nay

Motion failed.

**Public Hearing – 2019 CDBG Application**

Trustee Ramos made the motion to open the public hearing for 2019 CDBG Application. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Deputy Mayor Moore made the motion to close the public hearing for 2019 CDBG Application. Seconded by Trustee Kraus. All ayes. Motion carried.

Trustee Ramos made the motion to adopt Resolution 41-17-18 2019 CDBG Application. Seconded by Deputy Mayor Moore. All ayes. Motion carried

### **Approval of April 3, 2018 Re-Org Meeting Minutes**

Trustee Ramos made a motion to approve the April 3, 2018 Re-Org Meeting Minutes. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

### **Approval of April 3, 2018 Minutes**

Deputy Mayor Moore made a motion to approve the April 3, 2018 Minutes. Seconded by Trustee Ramos. All ayes. Motion carried.

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