

**Village of Walden  
Board of Trustees Regular Meeting  
November 20, 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	Brian B. Sebring
	Larry Kraus
	John Ramos
	Dan Svarczkopf
	Lynn E. Thompson

Absent:

Also Present:

John Revella, Village Manager  
Marisa Kraus, Deputy Clerk  
Dave Donovan, Village Attorney

**Public Hearing LL#7 & 8 of 2018 – Potential Zoning Changes**

Deputy Mayor Moore made a motion to open Public Hearing LL# 7 of 2018 – Potential Zoning Changes. Seconded by Trustee Sebring. All ayes. Motion carried.

Re Heagle, 25 Valley Ave, said himself and his wife are currently before the Zoning Board and is directly effected by one of these changes. It will be good for us and the neighbors. As an Architect, have been through many zoning applications and never encountered the problem that the ZBA had in this particular interpretation of the code. Read the suggested changes to the law and it makes sense to make it apply to use changes and not just non-conforming properties. All in favor for the changes.

Trustee Svarczkopf asked how much it cost for the mailings.

Re said \$314.96.

Mary Ellen Matise, 54 Gladstone, hopes the board passes the proposed laws tonight.

Trustee Ramos made a motion to close Public Hearing LL#7 & 8 of 2018 – Potential Zoning Changes. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

**Village Manager's Report**

- Transitioned from summer to fall to winter immediately. Got prepared for winter quickly.
- Rec Dept. sent the bus down for the Jets game. Went well, there were no incidents. There's another game in a couple of weeks.

- Also has sign up for the Westchester trip.
- Outdoor soccer began and is going well.
- Been going through PBA negotiations.
- The Auditors are still doing a few reviews of liabilities and lawsuits. Making sure they have their ducks in a row. They should be coming to the Dec 4th meeting or the one right after.
- Went with Fred to the Highway Superintendent Conference in New Windsor.
- Discussed various contracts coming up. Bidding. County wide sharing the bids.
- Reviewed various street opening, foils, water sewer payment plans that have been coming in with the Deputy Clerk.
- Few meetings with the Building Inspector to go over Fire and Safety inspections and abandoned properties.
- CSEA negotiations are well and will have updates tonight.
- 2 water main breaks since last meeting. One on Ivy Hill and one on Orchard and Pine. Remedied those pretty quickly to save on OT, but was dangerous as always.
- Couple meetings with the Town Supervisor regarding shared services as well as county official regarding different county-wide shared agreements that we're looking at that may be beneficial.
- DEC inspected our sewer plant. Went fairly well, no further recommendations than what they already have which is to try to eliminate more I &I, which our projects have been trying to work towards.
- Received notification from the county and had meetings with the Village Treasurer and with IWS regarding the county tipping fees increasing from \$85 per ton to \$104 per ton. Over a 20% increase.
- Updates on capital projects with the Village Engineer.
- Finished the paving around Public Works. The fuel pumps are finished.
- Got the contractor to hold his pricing on the Ulster Ave Sidewalk Project. Building in spring.
- Had a Comp Plan meeting. Went over zoning thoroughly. Trying to button up all the chapters so we can present something to the board. Hopefully the next Comp Plan meeting, will be able to tie everything together to get a final draft to the board.
- Met with Trustee Thompson regarding grants and things that would be helpful to us with the Walkkill Shed Alliance.

Mayor Rumbold asked about the attendance to the Local Government Innovation Conference.

Manager Revella said that was in Albany on last Thursday and Friday and they invited local municipalities to attend to discuss innovative projects that may be helpful to our community. Some were projects that were already discussed at the county shared services meetings. Some were regarding awards they have gotten for sharing garbage services and another one for sharing sewer plants.

Mayor Rumbold said that in regards to the tipping fees, some people weren't happy when we raised the garbage fees in anticipation of this and we did a modest raise.

Manager Revella added that he believes we raised \$7. Obviously it's not dollar to dollar from what we were raised from the county. Trying to get the company to hold the line on pricing. Our contract is year to year so we'll see.

Mayor Rumbold confirmed that this is the county that raised it from \$85 to \$104 per ton.

Manager Revella replied; correct.

Mayor Rumbold said that they didn't have any clue on what range this rate would be. They warned us that those tipping fees would increase, but they had no idea the range. We had to anticipate and guess, which we did and we're not even close.

Manager Revella said that they didn't have anything out preliminarily until their draft budget was out which was well after ours was adopted, so we didn't really have a chance.

Trustee Thompson asked if there was anything at the conference that got you excited for us. Any project that we could implement with our neighboring communities?

Manager Revella said that there are some good projects, but not feasible for us because of the distance between communities. Would be great to share sewer plants, but not cost effective because of the distance. It is something to look into in the future if there's continued growth on the periphery.

Deputy Mayor Moore asked in regarding to the storm clean up, if there is anything better to get the snow policy out to the public. There was some vehicles that had to be towed out on Monday that were still in the Municipal lot. That's far over the 24 hour period. Is there something that we can do better to get the policy out there.

Manager Revella said that was also after every spot was posted with orange signs. We put it on the calendar every year around this time. It's on the website.

Mayor Rumbold questioned if landlords that don't have off street parking, give their tenants anything that indicates if they're parking on the street they need to move their car. Do they help their tenants out so that they know that's there's this policy?

Manager Revella commented that the good ones should.

Deputy Mayor Moore mentioned that we did a good job with clean up.

Mayor Rumbold added that we did have an issue on Wileman and Wooduff, about people blowing leaves into street. The catch basins get compromised and then we have a drainage problem.

Manager Revella stated that the police have to cite them for that.

Mayor Rumbold questioned that they have to see them doing it at the time.

Manager Revella said unless someone wants to file a charge against them.

Mayor Rumbold said that the people couldn't get their leaves up and noticed the guys came by and cleaned the catch basins. From the wind and everything else, they were covered again and that caused an issue.

Trustee Svarczkopf asked if there was a specific amount of leaves you can't blow into the street.

Manager Revella stated that you can't blow any leaves or grass clippings in the road.

### **Approval of October 16, 2018 Minutes**

Deputy Mayor Moore made a motion to approve the October 16, 2018 Minutes. Seconded by Trustee Thompson. 6 ayes. 1 abstention (Trustee Ramos). Motion carried.

### **Approval of October 29, 2018 Special Meeting Minutes**

Deputy Mayor Moore made a motion to approve the October 29, 2018 Special Meeting Minutes. Seconded by Ramos. All ayes. Motion carried.

### **Trustee's Committee Reports**

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

Trustee Svarczkopf reported that we still have not heard about cyber security grant. She emailed them on 11/5, asking when it was gonna be and they said soon. Treasurer attended a how to guide for shared services. The auditors sent an initial report. From their response the auditors will be here to present to us on Dec 4th. We picked out computers for office. Alpha Tech asked them to put it through our Government pricing and still haven't heard back from them about pricing. They also want to set up a VPN so outside people can't get into our server. Had an initial call with Edmunds to start planning project.

Manager Revella added that it's supposed to take up to 4 months.

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

Trustee Kraus reported that he spoke with Ginny and she divided up the construction work to 2 parts, electrical and construction, and she got a response for the construction and waiting on a reply for electrical. Everything else is ok, they are very busy with a lot of programs going on.

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

Trustee Thompson said that she hasn't had a chance to meet with Dean. No major problems with his department. He feels that everything is up to speed. Have a question about fire and safety inspections, are we getting a fee before inspections is completed?

Manager Revella said yes, but only for the ones in that quarter.

Trustee Thompson heard that there was a problem clearing the snow in front of the building dept. Whoever did the municipal building forgot about the building dept., the ladies couldn't get in

Manager Revella stated that they were there at 8am.

Trustee Thompson added that the ladies showed up at 7am and couldn't get in.

Manager Revella said that they were there. They were inside at 7am because they took a picture from the inside of the sidewalk.

Trustee Thompson stated that she was told that they couldn't get inside of the building. Just asking to make sure that they get cleared when they do the municipal building.

Manager Revella responded; absolutely.

Trustee Thompson said that she went to the Town of Montgomery's last 2 meetings. The budget meeting got a little contentious. Went to their workshop this past week. As far as she understands, their budget has passed. There are some resolutions still being ironed out. The numbers are all in place. Had a couple of things that are still being carried over from being the liaison to the library. The security issue was something going on. Is there any more information. Every time turn the TV on, there's another shooting. Whether it's in a school, church, mall. Just feel we really need to stay on top of that. SGT Werner is ready to start drills, as is the library staff.

Manager Revella said that he is not sure where Ginny is with that. In favor with whatever they are inclined to do and haven't heard anything since.

Trustee Thompson said that she thinks we need to get a schedule and get it started.

Trustee Svaczkopf asked if there was any more progress on bulletproof glass.

Manager Revella said no. He reached out to same guy that came to the office to do the quote and asked him what's up with quote and hopefully he gives me one soon.

Mayor Rumbold asked if he's the only one around.

Manager Revella stated that it's hard to get that kind of work. It's pretty specialized.

Trustee Thompson added that she did have a brief conversation with the gentleman that she spoke to about the first aid kits. We will meet after holidays for further discussion on that.

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

Deputy Mayor Moore reported that she met with Chief and discussed PT hours, mileage, fuel usage, Stop DWI program and discussed OT for October. Sgt Werner attended training and is now certified with annual fire investigator certification. Chief attended a DARE update which had additional education for K-12 opioid and over the counter and prescription drugs. Halloween was a success. Police Dept. handed out over 1500 glow sticks. Wants to thank the Police Dept. and specifically SGT Metzger for their assistance with the Veterans Day Ceremony, which was also wonderful.

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

Trustee Ramos reported that spoke with Mike, the soccer program is up and coming, we have 68 signees and attendees. Hopefully have over 70. Basketball pre-signup has about 40 kids. Seniors trip is a full house, have about 14 standing by on the waiting list. The Jets

game for Dec 15<sup>th</sup>, tickets are still for sale. VC's, Maryann Santiatora, Director of Curriculum, is gonna be holding an excellence program at the teen center on Dec 12th. It's an open forum for parents and any educators. To give some insight on kids homework and how much they're receiving and the stressors that it creates during that time and the district is looking to try to minimize the kids 2 or 3 hours doing homework at night to 30 minutes and reevaluate the curriculum process. Think this is a good forum for any parent and any educator to discuss this with the school district. Mr. Xanthis and Mr. Bellarosa to attend.

### **DPW Liaison– Trustee Sebring**

Trustee Sebring reported that he spoke with Fred and they did an excellent job during the snow storm, which was tough because of the rain and slush freezing up. Couple of the trucks got stuck because the cars in front of them got stuck. It was a little bit of a problem, but that was all handled. Couple water main leaks. One on Ivy Hill and one on Pine St. Guys repaired catch basins, flushed sewers according to the DEC. Sent a couple guys hauling millings from Maybrook plus Cornwall. One guy worked with the mechanic. Water Dept. replaced 15 meters.

Mayor Rumbold read the community events into minutes.

Manager Revella announced the tree will be arriving on Tuesday. No shave November is almost over.

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

Mary Ellen, 54 Gladstone, knowing the town budget passed and left 200k in the A fund, if that's the town's idea of shared services, it's that they want us to pay for their share. Looking at figures that are in the packets, wondering if there has been an agreement made with the town, most of those figures supposed to be salaries. What's going on?

Mayor Rumbold said that we don't have any information, the supervisor was supposed to be here tonight. He's working on what his presentation will be. John has had preliminary discussions with him, but we have not. Not really sure what it is, why it's there, we are waiting for him to finish so we can ask him questions and find out what his proposal is. He asked to be taken off the agenda this evening because he wasn't ready.

Mary Ellen said that he did make comments at the public hearing for the budget. It wasn't ready at that time either.

Mayor Rumbold said that he was waiting for his budget to pass before he spent any funding. He's not ready to come to us yet.

Mary Ellen said that the \$30k that's in these figures for park maintenance a B fund item. Our responsibility is to make sure that we are not paying for that.

Mayor Rumbold added that we were waiting for him to make his presentation and ask those questions of him since it is his budget.

### **Action Items**

#### **Introductory Local Law #7 of 2018 – Potential Zoning Changes**

Trustee Ramos made a motion to for Negative Declaration for Local Law #7 of 2018 – November 20, 2018

Potential Zoning Changes. Seconded by Trustee Sebring. All ayes. Motion carried.

Deputy Mayor Moore made a motion to adopt Local Law #7 of 2018 – Potential Zoning Changes. Seconded by Trustee Ramos. All ayes. Motion carried.

### **Introductory Local Law #8 of 2018 – Potential Zoning Changes**

Trustee Ramos made a motion to for Negative Declaration for Local Law #8 of 2018 – Potential Zoning Changes. Seconded by Trustee Thompson. All ayes. Motion carried.

Trustee Sebring made a motion to adopt Local Law #8 of 2018 – Potential Zoning Changes. Seconded by Trustee Ramos. All ayes. Motion carried.

### **Discussion - Bucket Truck**

Manager Revella said that the Superintendent has been at his wits end trying to rent vehicles to work on things around the village and has been unsuccessful. Pine Bush Equipment has been out of that business. The ones that he has found, has long delays or high pricing. He would be willing to sacrifice getting a curber and other items that you see in the packet to be able to afford maybe a used bucket truck. He thinks it's more of a utilized piece of equipment than these other items listed.

Mayor Rumbold asked what we use the bucket truck for.

Manager Revella said lights, lights bulbs, tree trimming is big all year long, banners and decorations.

Mayor Rumbold mentioned that the Village of Montgomery has one but they are always using it.

Manager Revella added that they are usually using it the same time as we are.

Mayor Rumbold asked how much this potential will be.

Manger Revella said that we were estimating between \$27-29k. Try to get it cheap as possible.

Trustee Svarczkopf asked why the water dept. would need it.

Manager Revella said to clean the tanks.

Trustee Ramos questioned why we can't explore a man lift instead of a motorized truck. Man lift is similar to what we had on Main St. that was doing the building. 60-80ft man lift.

Manager Revella said that the maneuverability with a man lift and the different work in different areas.

Trustee Sebring added that with a man lift, you'd need a trailer. A 60-80ft got an extensive boom on it. To road run it takes a long time. It would be nice to have a 60-80ft bucket but the size that they want, 34-36ft, is more than adequate for tree trimming and lights and bulbs. The man lift is expensive for the insurance.

Mayor Rumbold added that if it means anything the guys on Main St wasn't happy with it.

Manager Revella said that the charge comes out of it sometimes, the battery runs out and then have to manually crank it to come down.

Trustee Svarczkopf asked if we would have to pay back the water fund.

Manager Revella answered; no. They're using it. And the water fund never has to be paid back. We can use water funds anytime we want. We can't use sewer funds unless it's for sewer purposes.

Trustee Svarczkopf asked if we are going to push the curber to next year.

Manager Revella said that we will try to see if it fits in next year's project list.

Trustee Thompson asked if this is an item that can be shared with another community.

Manager Revella replied; yes.

Deputy Mayor Moore asked if it was easier to share a curber because you're not utilizing it at the same time for the same kind of things.

Manager Revella said yes, you can schedule that easier. It's not a tool for emergency management. A bucket truck is.

Trustee Svarczkopf asked if we have one picked out.

Manager Revella said not yet. Have been checking on websites around the state and around the area. Looked at one that was not in good shape.

Trustee Svarczkopf asked how much a new one would be.

Manager Revella replied; \$145-150k.

Mayor Rumbold asked where we are looking to buy.

Manager Revella said potentially looking into the auto auction in Newburgh, surplus from other communities.

Mayor Rumbold mentioned that when we sell surplus, there's no warranty.

Manager Revella said that's correct and that's why we have our mechanic check it out first.

Mayor Rumbold asked if they log hours.

Manager Revella said yes, hours and mileage.

Trustee Ramos asked about training.

Manager Revella said that you can get that kind of training easily. The Associations usually

puts those on pretty frequently.

Trustee Svarczkopf asked about the timeline.

Manager Revella said asap.

Deputy Mayor Moore asked if the garage and mechanic has the capacity to take on another vehicle and maintain it.

Manager Revella said yes. And we did talk about this last meeting and got the lines.

Deputy Mayor Moore stated that she did specifically ask about the lines. Wanted to see what lines it was gonna be coming out of.

Trustee Svarczkopf mentioned the 2 lines for the personal services. What are we not paying for.

Deputy Mayor Moore said that they didn't hire a secretary.

Trustee Kraus asked if the certification is expensive.

Manager Revella said that some places put it on for free because we're members, but we'll have to check.

Trustee Kraus questioned that some bucket trucks have to get tested.

Manager Revella said yes, but don't know what the cost is. It's similar to the certification company and can't imagine it be too much more for the bucket truck.

Trustee Sebring made a motion to accept budget up to \$31,400 to purchase a bucket truck. Seconded by Trustee Ramos. All ayes. Motion carried.

### **Discussion – Shared Services**

Tabled

### **Temporary Sign Request - VFW**

Deputy Mayor Moore made a motion to approve Temporary Sign Request for VFW. Seconded by Trustee Sebring. All ayes. Motion carried.

### **50 South Montgomery – Fire & Safety Inspection**

Dean Stickles, Building Inspector, said that he didn't bring the paperwork. The owner of this property has sent a letter to the building dept. and is not in favor of doing inspections and he has no access to his apartments.

Mayor Rumbold confirmed that the owner has no access to the apartments.

Manager Revella said that's the allegation.

Dean said that Attorney Donovan suggested that we go after an administrative search warrant to do the inspection because it's something that's required by our code.

Attorney Donovan added that we just need the authorization from the board, authorizing in junction with the building dept. to get an administrative search warrant, which will get the building dept. inside.

Deputy Mayor Moore questioned if the access warrant is served on the owner or tenants.

Attorney Donovan said both.

Trustee Ramos asked if the document that he is formerly saying that he does not have access.

Attorney Donovan confirmed that he is denying the Village the access that we need for a variety reasons to gain access.

Dean added that this landlord has not allowed us in in the past.

Trustee Sebring asked if a police officer will be present

Attorney Donovan said that they will serve the warrant.

Trustee Svarczkopf questioned what happens if there is something wrong.

Manager Revella said that Dean then gives them a notice to remedy.

Trustee Thompson made a motion to authorize the Village Attorney to prepare and obtain an Administrative Search Warrant. Seconded by Trustee Sebring. All ayes. Motion carried.

### **Public Comment**

Sam Liebman, 7 Sadlier Pl, stated that he was the architect that redesigned this building years. Been an architect for 45 years. Lived in Walden for 45 years and still a licensed architect. Hoped you are such a mind and understand what I'm about to say, came to my attention that the village is no longer going to correct any problems that occur with the water lines in the village streets. Whatever it is, they're not going to continue doing is what I'm concerned about. Was told it was getting very expensive to correct the problem. I know for a fact that is correct because when I do work on buildings, also involved in bring service from the streets to the buildings. The law that was just passed, put an undue burden on the citizens of this community who will be unable to come up with thousands of dollars it's gonna require to correct a problem when it occurs. It's not fair to ask people that have been living here for a great while, to now come up with getting work done in the street that has been always been done by the village. Serious concerns, basically hope you consulted with your village engineer because if you haven't then you have put yourself at a tremendous risk. This is not the first time I've been in a situation like this with a community. But this happens to be my community. I served as chairman of zoning board for 15 years. Put a lot of my personal time and money towards this village. Hate to say this, but I am certain what is gonna happem, is there's gonna be a problem that's gonna happen and people that can't pay or get a loan, come up with thousands in order to make the corrections, if there's a problem with the water. I'm talking into, not the delays because the minute that something occurs that could have been corrected much faster if the village services were used to make those corrections. Now a permit has to be issued. Bits have to

be taken by whomever the homeowner is to get someone out there. Spend the time to excavate, to get to the problem. If this is something that is going to effect more than one house. Before, it was done by the village and if the problem came about, it was up to the homeowner to correct it, now if it becomes accumulative. It can start at the top of hill and all houses are gonna be effected. When a break that occurs that's feeding the line, it's gonna have to be blocked, shut off, or you're gonna have flooding. I've seen it in other communities. Not sure if the engineer that this village is using now has explained these problems that could occur. I'm here for the potential problem that we're gonna be faced with, legally. Essentially, what's happening, people are being denied water because they have to wait for a property owner, not the village because the village always did their job. But now a property pwner is gonna be expected to be corrected. When a line broke on their property it's their issue because their house is without water. If it happens in street that effects many houses.

Mayor Rumbold said that you're misunderstanding. If there's a break on the village line, we fix it.

Sam said that if the break occurs to that house, what if it occurs beyond that house, from the main to house. What if occurs on the line coming to house but it effects the main?

Manager Revella said that we fix the main.

Mayor Rumbold added that we're just talking about the laterals. Not talking about the main. The water main breaks on the main, the village fixes it. That's the main that feeds every house. Laterals go to each house. If there's a break in the main, owned by the village, the village fixes it. We're talking about the laterals.

Sam said he's talking about at the connections. Where the private line goes into the public line. That's where it occurs. It doesn't occur in a solid line. It occurs at that connection. That's the weak spot. Who's responsibility is that? At the connection between the main and the line going to the house, that is where 95% of the problems occur. You don't get a crack in the main.

Manager Revella said that we do. All the time. They weren't put in sand. They were just put in the ground.

Sam said that if you have cracks then you have more serious issues. Why put burden on homeowner that is effected by it. If a main settles, it's gonna effect the connection to the house. You can say the village will fix their part, but not your part, even though the main part has caused the lateral to be effected. It's a web that is hard to explain. If a main that settles, it's gonna put pressure on the connection that goes to the house. If there's any problems and it happens in the street it should be the village's concern and they fix it. Once the problem goes to the lot than it's their problem. This should have been explained thoroughly by your engineer. And if it hasn't been than they didn't do their job. I have done work in Orange, Sullivan, and Ulster Counties, and when I heard what was done, said that has to be some mistake. You guys would not do this if this had been thoroughly explained to you as it should have been. You wouldn't do this to a homeowner. I want you to take the initiative to find out if what I'm telling you is accurate. And if so, you should take the initiative to reconsider what was done.

Mayor Rumbold asked Manager Revella if he had gotten the information from the engineer.

Manager Revella said yes. Went to 120 service line breaks and not one of them was at the corporate valve. The main breaks are all over the place. Connections, valves, in the middle of the line, everywhere. There's a problem in our village because when they put the lines in, like 1920-1930, they didn't use sand beds. They took the ground up, put the pipe in and put the same ground, rocks and everything back in.

Sam said that he's trying to explain, when you get a break in the main line anything that's being fed off that main line is gonna have some impact.

Manager Revella mentioned that in our past practice that we had a sewer line put in on Pleasant Ave. They disturbed several different water laterals. We replaced all of them because it was our contractor. Same situation would occur.

Sam said that when work is done to the main line, it's gonna have an impact on the laterals.

Manager Revella stated that whatever we impacted we have repaired.

Sam said that what's being said is if the main water line has a problem and it impacts the lateral at a point before it reaches the property, it's the homeowner's responsibility.

Manager Revella said that not what's been happening. The lateral breaks have been random.

Mayor Rumbold said that if there's a break in the main and it effects the lateral, we repair.

Sam said that he thought he was told that if the water line is effected before it shows up on property, still owner's responsibility.

Manager Revella said from main to the house.

Sam questioned that there is no connection between main and lateral.

Manager Revella stated that he didn't say that.

Sam said there's a responsibility to the village and to try to clarify who's responsibility it is, is gonna become a legal issue as to who's responsibility it is. By passing a law as you have written it. I'm not angry at anyone on the board. They should have presented you with more information. Art Tully is at fault. I know enough to know that you were not given enough information.

Becky Pearson, 167 Walnut, regarding the bucket truck, can you please go over these lines?

Manager Revella said that the first 4 lines were for the secretary.

Becky asked how you know where the break is.

November 20, 2018

Manager Revella said that we have calibration equipment. It's pretty cool. You should check it out.

Becky said that she still agrees with Sam, it's the village's responsibility for the water lines to the homeowners house. From the cut off to the house is the homeowners. It's very different from the sewer. Water is an incoming service.

Mayor Rumbold said that up to 1986, found documentation that it's the homeowner's responsibility from the lateral to main.

Becky asked if it was found that far back, why have you been fixing it all these years. Why fair to the people going forward?

Attorney Donovan added that when I look at the agenda and it says Public Comment, I believe that it's public comment and not public argument. But let me just say, there's a provision in NYS Village Law regarding water laterals.

Becky questioned why don't all villages do it.

Mayor Rumbold said that we were one of the few that did. Most do not touch laterals because they belong to the homeowners. Which is what that provision said. I'm trying to find by going through the minutes if anything happened during the course of the village that they decided that they were going to repair homeowners property.

Becky questioned can't you do what you want. You're not bound by that because you're the legislative body.

Attorney Donovan reiterated that this is public comment.

Mayor Rumbold added that she wants to see if there was any change.

Attorney Donovan stated for the record that Art Tully is his oldest sons God Father. Knows the gentleman and does take exception to 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**

Trustee Svarczkopf said that he received one email from the law firm Feerick, Lynch, McCartney and Nugent that invited me to a Christmas party. Not sure if that's supposed to be disclosed.

Manager Revella said they are one of our consultants.

Deputy Mayor Moore said that she was cc'd on email regarding a sidewalk at 20 East Ave. It was with the Building Inspector, the Manager, myself and Chief. Believe that Chief said that it was taken care of.

Manager Revella said that there are no sidewalks there. And didn't get that email.

Dean added he didn't either.

Deputy Mayor Moore said that she gets confused with email is chief's email.

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

Trustee Svarczkkopf said that heard from a couple people about the 25 mile an hour signs, I understand why they're there, but I hate that they're there. They're confusing.

Mayor Rumbold questioned if these are these signs that just changed.

Manager Revella stated that the Police Dept. recommended that we were covered on all village streets.

Trustee Svarczkopf said that there are 4 signs on the main roads that are 30mph coming into village, they're there to tell us that all roads in the village other than those mains roads that the signs are on are 25mph. That's ridiculously confusing.

Manager Revella said that we are required to put them at the entrances to put everyone on notice.

Trustee Svarczkopf said that he wants to find a better way. Also wants to change mailing for the ZBA stuff. Put in a mailing for variance. Looked and there are almost 80 houses in my line. At \$7 a piece, that's \$560. Change to try and move a shed a foot, I'd have to do it twice. The law from the state says that more than adequate would be a newspaper ad. The owner can certify that they sent mailing at 50 cents a piece. That's a decent application charge. If we have the ability to change that, we should look into that.

Manager Revella asked to make it an agenda item. Can mail it in the regular mail and just have an affidavit saying that you actually mailed it to those address.

Attorney Donovan said that the NYS Law, minimum standing, 5 days before meeting in your official newspaper. Many municipalities have additional requirements for mailing. Historically that was by certified mail but that was adopted when certified mail was at 5cents. Over the course of time it has become more expensive and you have more homes and properties in the surrounding neighborhood. Don't know of any ZBA's off the top of head that just do the publication, but there are a number that just do an affidavit of mailing. The homeowner gets list and sign an affidavit that says that they put first class letter in the mail to all these folks.

Trustee Thompson said that seems sufficient. There might be a problem with the newspaper because a lot of people don't read the paper. Think it's a reasonable request.

Attorney Donovan added that would have to be a local law.

Deputy Mayor Moore wanted to correct herself regarding the email, it was regarding a cross walk.

Manager Revella said that it's where East Ave meets 52. She's looking into a crosswalk.

Deputy Mayor Moore wanted to apologize for that.

Dean said that she contacted DOT.

Deputy Mayor Moore reminded everyone that the Fire District elections are on Dec 11th. Also publically say that the Veterans Day ceremony was beautiful. The Veterans Park Committee does a very good job, several local businesses that pitched in for the sprinklers.

Manager Revella added also the Village of Walden in assisting with that as well.

Trustee Ramos thanked the Veterans Committee, as a Veteran myself, it was very touching that we get together and pay tribute to our fallen comrades. Appreciate it.

Trustee Sebring said that when he was on the planning board, they wanted to put a sign board out in front of each property that had something going on, through the planning board but because the sign boards were too expensive, it was not. It could be an option. If they want to consider that again, maybe go that route.

Mayor Rumbold added that the Veterans Day ceremony was very well attended, the park looked wonderful as always.

### **Executive Session**

Deputy Mayor Moore made a motion to enter into executive session to discuss PBA & CSEA Negotiations and Personnel. 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 Svarczkopf. All ayes. Motion carried.

**Village of Walden Board of Trustees  
Regular Meeting  
November 20, 2018  
Motions & Resolutions**

**Public Hearing LL#7 & 8 of 2018 – Potential Zoning Changes**

Deputy Mayor Moore made a motion to open Public Hearing LL# 7 of 2018 – Potential Zoning Changes. Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Ramos made a motion to close Public Hearing LL#7 & 8 of 2018 – Potential Zoning Changes. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

**Approval of October 16, 2018 Minutes**

Deputy Mayor Moore made a motion to approve the October 16, 2018 Minutes. Seconded by Trustee Thompson. 6 ayes. 1 abstention (Trustee Ramos). Motion carried.

**Approval of October 29, 2018 Special Meeting Minutes**

Deputy Mayor Moore made a motion to approve the October 29, 2018 Special Meeting Minutes. Seconded by Ramos. All ayes. Motion carried.

**Introductory Local Law #7 of 2018 – Potential Zoning Changes**

Trustee Ramos made a motion to for Negative Declaration for Local Law #7 of 2018 – Potential Zoning Changes. Seconded by Trustee Sebring. All ayes. Motion carried.

Deputy Mayor Moore made a motion to adopt Local Law #7 of 2018 – Potential Zoning Changes. Seconded by Trustee Ramos. All ayes. Motion carried.

**Introductory Local Law #8 of 2018 – Potential Zoning Changes**

Trustee Ramos made a motion to for Negative Declaration for Local Law #8 of 2018 – Potential Zoning Changes. Seconded by Trustee Thompson. All ayes. Motion carried.

Trustee Sebring made a motion to adopt Local Law #8 of 2018 – Potential Zoning Changes. Seconded by Trustee Ramos. All ayes. Motion carried.

**Discussion – Bucket Truck**

Trustee Sebring made a motion to accept. Seconded by Trustee Ramos. All ayes. Motion carried.

**Temporary Sign Request - VFW**

Deputy Mayor Moore made a motion to approve Temporary Sign Request for VFW. Seconded by Trustee Sebring. All ayes. Motion carried.

**50 South Montgomery – Fire & Safety Inspection**

Trustee Thompson made a motion to authorize the Village Attorney to prepare and obtain an Administrative Search Warrant. Seconded by Trustee Sebring. All ayes. Motion carried.

**Payment of the Audited Bills**

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

**Executive Session**

Deputy Mayor Moore made a motion to enter into executive session to discuss PBA & CSEA Negotiations and Personnel. 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 Svarczkopf. All ayes. Motion carried.