

**Village of Walden
Board of Trustees Regular Meeting
December 4, 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, Village Clerk
	Dave Donovan, Village Attorney

Mayor Rumbold announced Marisa Kraus as the Village Clerk.

Presentation – Auditors

Manager Revella handed out the draft report from the auditors from RBT.

Bill, CPA, a partner in governmental audit. This is Donna Crowley, Senior Manager, in charge of audit. Involved with the Village of Walden. 1st thing, on page 1, is the independent auditors report. 2nd page is an unmodified opinion. This report also lays out who's responsible for what. You're responsible for financial statements and we're responsible to give you an opinion on your numbers in your financial statement. Look at some internal controls, numbers. Yours is an unmodified opinion. Page 3 starts your management discussion analysis. Gives us everything you have done for the year. Also gives you the chance to tell the world what the Village is doing. Looking at your financial statement highlights, you'll see your assets exceed your liabilities. Close the fiscal year 7.6 million. Most of that is due to Capital assets. Your unrestricted fund balance is -1.8. Most is made up of post-employment retirement benefits. Your government total deposition increased by \$1700, which is profit. Liability is increased by \$550k. Next year will be a shocker because there will be a new rule in place where you're going to record the entire liability for you post-employment benefits. The funds report combined ending balance of \$193k is your governmental fund statements. Increase of \$81k from prior year. Unrestricted fund balance from general fund was \$437k. Important because it's your operational account. Benefit the village.

Kelly A Kelly, Village Treasurer said that we had a positive fund balance. Didn't over spend the budget. Also don't have the issue with the sewer fund. Haven't gotten the official determination yet, but should no longer be fiscally stressed.

Mayor Rumbold said that we just got this report this evening, so when we read this over and if anyone has any questions, we can call you.

Donna said to feel free to call me.

Mayor Rumbold added that she's sure the board would like to read through this to see if we have any questions.

Donna mentioned that there is a 2nd document, a purple page. This is your report to the board. Standard required language, but also information summarizing the audit results. Page 2, is a lot of standard language, but does talk about that there was no new adoption of county policies or change of ways that we account for things in the village. Did not find any unusual transactions, we corrected what we found. Did not have any disagreements with management. The audit went smoothly. Page 4 and 5, show the adjustments that we did do. Everything has been recorded in the Village's books. A few of them that does speak to Kelly doing a great job. Wanted to take this time to thank her for her help. A lot of people don't realize that it is a lot of work. This is our management letter, we did have a few suggestions. There was nothing that we found that was significant. Few suggestions, some old outstanding checks. Suggested that those are looked into for record keeping. Going forward that there's gonna be implementation of new software. Want to look into more segregation of duties, who has access to the check writing and vendors. Last one is with trust and agency, holds escrows and things you collect for projects. Rest of the document, looked at those finding and how Kelly responded to those, she's proactive. At the end is a copy of our arrangement letter. It's a basic contract and copy of management letter the village wrote to us.

Trustee Svaczopf questioned how many written checks that were not cashed.

Manager Revella said that we talked about sending them to unclaimed funds.

Donna added that there was only a few.

Trustee Svarczkopf asked about KVS that everyone has a password to, is it because everyone is cross trained?

Manager Revella said that that's the way the software was implemented. Not much you can do with that software. The new one we're gonna try to work that out.

Kelly added that there are limits with checks where over a certain amount can be hand signed. We have to discuss what's the best option. Better controls. There will be a better way.

Trustee Thompson mentioned that she just wants to go through it.

Village Manager's Report

- Since the last meeting, went over fall cleanup prep for Christmas in Square. Rec Coordinator and DPW Superintendent got the tree up.
- Went over the county comp plan. You'll see notices for OC Comp Plan out for public discussion and hearing.

- Went over projects and personnel with the DPW Superintendent regarding secretary position.
- Went over staffing with the Building Inspector. Meeting next week to go over finances.
- Had arbitration for personal matter here. Will get resolution before end of the year.
- Went over some things with the Town Supervisor regarding the bridge and town parks.
- Went over bank reqs, journal entries with the Treasurer. Reviewed some budget lines.
- Couple meetings with special council regarding negotiations.
- Went over DOT projects, OTC grant awards with the Engineer. Confirmation for CDBG award and a couple other ones that we'll be working on this year.
- Contractor for the Ulster Ave project will hold the price for the year. Will sign those letters tomorrow. Should start at the end of March.
- Went over Dig Permits with the DPW Superintendent, including timing. A lot of people putting permits during the winter months. Working on timing with that.
- Repainting the first floor entry way. Using a grey color.

Trustee Svaczkopf questioned where we were on staff for DPW.

Manager Revella said that he just got letter of consent on Monday, so we can hire someone.

Trustee Svarczkopf asked if that includes the Building Dept.

Manager Revella stated that we already hired for Building Dept.

Deputy Mayor Moore asked about any indication from the supervisor on when they may start work.

Manager Revella replied; nope. Talked to Trustee Thompson and Trustee Sebring yesterday as well.

Approval of November 20, 2018 Minutes

Trustee Ramos made a motion to approve the November 20, 2018 Minutes. Seconded by Trustee Thompson. All ayes. Motion carried.

Deputy Mayor Moore just wanted to clarify that she was not confused by Chief's email. She spoke regarding the email. That is not what she meant.

Trustee's Committee Reports

Village Offices Liaison – Trustee Svarczkopf

Trustee Svarczkopf reported that we did not get the Cyber Grant. Gonna have to figure out how we're gonna pay. Edmunds is gonna start the 1st module on the 8th of January.

Town of Montgomery & Library Board liaison – Trustee Kraus

Trustee Kraus reported that the library is doing well. Waiting for the electrical contractor to come in. Saturday they're having a winter train display from 10 -2pm. Rob and Diane Sandbooth have been doing it for the past 5 years. Nice big train display. Santa will be there too.

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

Trustee Thompson said that she had nothing to report. Dean was away and then she was away and couldn't connect. He's still been really busy. Still doing Fire and safety inspections. The new hire is doing really well. Waiting for official date on retirement for Vicki Kurtz.

Manager Revella added that he met with Dean, there are 33 properties that have not complied and will be getting violation notices as well.

Police Department and Justice Department Liaison – Deputy Mayor Moore

Deputy Mayor Moore reported that she has not met with Chief, but has spoken with him. Reviewed mileage and fuel usage. The snow incident there were 40 tickets and 6 tows. Officer Rios has been hired as FT officer and there is one more FT position open.

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

Trustee Ramos reported that the school board meets on the 10th. Tomorrow is the D.A.R.E. graduation at 9:30am at the Walden Elementary School. The Parks and Rec football game Dec 15th, is cancelled due to lack of participation.

Manager Revella wanted to note that if anyone went by the elementary school, they removed all the bushes in front.

DPW Liaison– Trustee Sebring

Trustee Sebring reported that he spoke with Fred yesterday. The guys have been cutting back on plow routes, the trees. They've been sweeping the streets. Filling pot holes. The guys have been working to put up the fence for the new building. Cleaning the catch basins. Sewer jetting. Mechanic been busy changing oil. Water Dept. installed 5 meters.

Mayor Rumbold read the community events into the minutes.

Public Comment on Business of the Board

Becky Pearson, 167 Walnut, couple comments, worry about the 5 days, don't think it's long enough if you're going first class mail. Needs to be a little longer on those mailings. Also talks about the receipt. Would like to see a receipt for what he paid for the stamps. Some type of a receipt on how much he spent on stamps. It doesn't say that he has to show proof that he did mail them.

Trustee Thompson said that the applicant needs to be aware that just the receipt of purchase stamps isn't gonna cut it, you need something in writing.

Becky said that that would be fine as long as it shows when they were mailed.

Mayor Rumbold questioned if you're not getting the return receipt, the post office has to put the number of envelopes down that matches the number of addresses that they're looking at.

Becky thinks that he just has to put stamps on all his envelopes.

Trustee Thompson said that you can buy 500 stamps and mail only 40 letters.

Manager Revella added that's why you have the affidavit.

Mayor Rumbold asked if it creates a liability for the village.

Attorney Donovan said that he was asked to look into this. This is my looking into this. Didn't know we were ready to advance this into a public hearing. This was just a suggested revision for the board to consider. The 5 day period is in your existing code, you can change that, but the 5 day is in your existing code. In terms of getting a receipt, if my office were to represent a private applicant, in front of Planning Board or Zoning Board, I'm just gonna put the mailings through the postage machine in my office. So, I'm not gonna have a receipt.

Becky asked if it prints out anything.

Attorney Donovan said that we have Pitney Bowes machine, we fill it and slide stuff through it and get a stamp on it. The affidavit of mailing says that Joe Applicant on this day deposited the following of letters, the lawyer submits an affidavit of mailing. There's different ways of doing it. Not sure what the name is, but you can get a book at the post office where they put a stamp at the bottom of the page. It may defeat the purpose because it increases the cost.

Becky asked if you do that for the Zoning Board, we don't have many clients with attorneys with them so basically it's them that comes in with their receipts for proof that they mailed.

Manager Revella said that now they are doing a sworn to affidavit. Before they can just hand you receipts. Can make them up. This is a sworn affidavit that is notarized.

Attorney Donovan added that the affidavit of mailing is the properties listed all out and notarized. Many municipalities do it themselves. They get the list, the applicant pays the postage and the village or town mails it out.

Becky said that her concern is 300 feet that was a big to do for people to come to that meeting. Maybe in 5 days, they didn't get that mailing and they may have concerns. Lot of concerns w that. Worry about the time frame. Mailed out 15 days ahead of time, more time to get there. Was just talking about the receipt of the mailing, so if that's going to be signed for, that's fine too. There had been talk at one time about posting in the yard, so that people in the neighborhood drove by. Like a building permit you post on the wall. Just something for you guys to think about.

Brenda Adams, 31 Valley Ave, happy you are addressing this. For the record on the 5 days that has been in effect for a long time. The last few years when Walden didn't have local. You could go and put Walden mail in one slot and out of town in another. It circulated
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in the village quicker and now it goes to Albany, unless you go to the window and specifically ask them to put it in the local. There's a ZBA issue coming up Thursday night, but the post office took the return receipt off and left it in my mailbox, so there's no proof, it was in my box, but I didn't sign for it. NNO, where did we get the \$13k from?

Manager Revella said it was donations from the town and other villages as well.

Action Items

Introductory Local Law #9 of 2018 – ZBA & PB Mailings

Attorney Donovan said what we talked last time specifically the ZBA wants to add in the Planning Board, the subdivision. Special Exception use actually ties back to the ZBA. Add that provision to the local law. The 5 day period comes from state law. We all experience the same thing. Every community around here will mail something on Monday to your neighbor and it gets there a week later.

Mayor Rumbold asked about a suggestion.

Trustee Svarczkopf mentioned to keep it at 5. Asked if we are totally against keeping the option open for the village mailing it. They come with all stuff done, stamped and we mail or they don't and it's an extra fee for our time and paper.

Attorney Donovan said that the other places pay for postage fee, part of the application fee. I would tell you, if your administration can handle it, it's the best thing in the world.

Trustee Thompson said that it gives us more control and accountability.

Attorney Donovan added that the meeting shouldn't be about whether the mailings were done properly. Should be about the subject matter.

Trustee Svarczkopf said that if we're mailing them we can go to post office and say that we need this within Walden, then it could be 5 days.

Manager Revella said that they just have to be to the village office by X date.

Deputy Mayor Moore said that she would make the recommendation that if the village would do it, take into account that it would take the village a day or two to do it, definitely increase the time.

Manager Revella said at least 10 days.

Mayor Rumbold asked if we assume any liability.

Attorney Donovan said there is always some with doing anything. At the end of the day, if the worst thing that happens is the meetings get postponed a month. View it as that it's less likely the village will make a mistake.

Deputy Mayor Moore asked if the board is actually stamping and sending the mailings out, there will no longer be an affidavit?

Manager Revella replied; yes.

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Deputy Mayor Moore questioned if that was something easy for the treasurer to invoice.

Kelly added that we would just have to keep track of that.

Becky said that she thinks it's fine as long as you have the workers to get it done. Like the longer time frame. Would like to have it you 15 days ahead of time.

Mayor Rumbold asked if they can send a statement.

Becky said that they can send a statement. Most people like to show up. Don't get many letters, but still have the option.

Attorney Donovan said that it will be a redraft local law and will need to reference to modify that subdivision.

Trustee Svarczkopf wanted to clarify that the homeowner bringing a letter or just coming in to pay for postage.

Manager Revella said the letter, envelope, pay for postage.

Attorney Donovan added that the applicant is gonna pay.

Trustee Svarczkopf asked if we're gonna have an employee working on it.

Attorney Donovan said that you can add that cost and amend the application fee to the ZBA.

Mayor Rumbold said that they're gonna have to figure out how many mailings.

Manager Revella said that it will be set price per address.

Mayor Rumbold stated that the next meeting is December 18th

Trustee Sebring made a motion to make the changes as mentioned and give 10 days to return/respond. Seconded by Trustee Kraus. All ayes. Motion carried.

Discussion – Shared Services

Manager Revella gave an update. The town board passed their budget, which included funds for potential share Parks Maintenance Program. Been discussing potential shared service in that dept. There's nothing in writing or concrete. Town wants to go over it with their attorney before presenting it.

Trustee Svarczkopf questioned if we don't have anything concrete why do we have numbers.

Manager Revella stated that's estimates for the budget.

Trustee Svarczkopf said this is just off their budget.

Manager Revella said it's estimates that we think it would cost.

Trustee Thompson asked to explain again what the appropriate fund is for the parks.

Manager Revella said the town parks are A fund. It's by law, because it can be used by anyone in the town, including people in the village.

Mayor Rumbold added that some people believe it should be in the B fund not in the A fund.

Budget Amendment - NNO

Manager Revella said that we were the catalyst for NNO this year because we've done it before. Wanted to make sure it was done right. Most of our staff were either on the committee through the village, other jobs or the Town of Montgomery. The cost was run through our finance dept. So was all the revenue. We had to balance it out. And the other part is there has been a lot of coverage by not having a clerk by the finance dept. This is to cover the OT.

Deputy Mayor Moore made a motion to approve the Budget Adjustment. Seconded by Trustee Ramos. All ayes. Motion carried.

Public Comment

Bill Kiernan, 47 Walker, after a couple of discussions on what stage is the bargaining with the town taking over the parks. Once something comes in writing, the town will be available to the residents here. The A fund, B fund, respectfully disagree. Spoken with 3 different accountants that do municipal budgeting and they all feel that in this situation, the Village of Walden, is receiving any state health grant aids then the town parks should not be in the A fund and should be in the B fund. That is their opinion. An ambiguous thing. Ask someone from the Village of Walden to contact the comptrollers office just to clarify the status of the parks within the town versus in the village. It's not been that way for a while. Maybe get something in writing. Everyone likes to pass that buck to their legal dept. In the long run, would hate to pay taxes to the town to do their parts and pay our employees to do their job.

Becky Pearson asked how many applications for the clerk's position came in.

Manager Revella said he thinks there were over 80 applications.

Trustee Kraus was surprised to hear 80.

Manager Revella added that Trustee Kraus was not allowed to be part of the process, one of the applicants is a relative, so he didn't know.

Becky asked about the salary.

Mayor Rumbold replied; \$53k.

Becky questioned if that was what the old clerk made.

Manager Revella answered; no. It's less.

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Becky questioned it not having to be talked about in public.

Mayor Rumbold stated that we did. We set a parameter on what we were gonna do. There was a range.

Becky asked who and when it was decided on \$53k.

Mayor Rumbold said that it was her call, but did get input from everyone else.

Becky questioned that when you're spending tax payers money, you don't have to have a vote in public.

Manager Revella added that they had a vote last night. It was noticed. There are motions and seconds.

Becky asked if you're hiring someone for Marisa's position.

Manager Revella said that he filled the Deputy Clerk/Treasurer, Gina Somma has been hired.

Becky questioned that salary.

Manager Revella said that it's not salary, it's an hourly rate and don't have the numbers on him. She was the former Deputy Treasurer.

Becky questioned on changing her pay. Was there a vote on changing her pay as well?

Manager Revella stated that they didn't have to. It's less than budgeted amount.

Becky asked about the secretary for the DPW. The bucket truck used the money for secretary, how are you hiring a secretary if you're using the money for the bucket truck.

Manager Revella said that the secretary's budget has been from June 1st and we still don't have one. So, from June 1st to now, that money hasn't been spent. That's the money that we used for the truck.

Becky asked how much is that?

Manager Revella said that it's in the packet from last meeting.

Becky questioned the money for the sewer fund, that we now are not in defunct anymore, where did that come from?

Manager Revella said that was also a budget transfer at the last meeting, remember Becky you had me go through each item last meeting.

Kelly said that it was \$350k. It was done in May.

Becky asked where it came from.

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Kelly said the community development fund.

Becky said that you were able to take that because you think low income families are able to put that in the sewer account.

Manager Revella said that HUD said we could.

Becky asked if you will be hiring the next person to fill Gina's position.

Manager Revella said it will be posted shortly. We are considering hiring a part time person.

Becky said to talk about A fund and B fund shared services. Looking at the numbers for the office as going to the town as well as a shared service? Finance 1 hour a week. Doing work for the town through the finance office as well?

Manager Revella said for payroll, etc. for the people doing the work.

Becky questioned that's also A fund and B fund.

Manager Revella wherever they're getting the money from.

Becky questioned that we're doing finances for our own people doing work for the town?

Manager Revella said that it's part of the reimbursement.

Becky said that she doesn't understand why we're doing this.

Mayor Rumbold said that it's just a discussion right now. We haven't seen the proposal, we don't know what it entails, we haven't even had a chance to discuss it yet.

Becky said that you did a budget transfer for OT in the office. You want to spend 3 more hours that apparently people don't have enough time to do the work that they do, they have to get OT.

Manager Revella said that they got OT because we don't have a full staff right now. There's a vacant position.

Payment of the Audited Bills

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

Correspondence

Trustee Thompson said that she had a call from Mr. Jacobowitz, to meet him to bring up his Edmunds Lane project again. Suggested he would like to meet with the board.

Manager Revella said to let him know there's a meeting on the 18th of December.

Miscellaneous Comments from the Board of Trustees

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Deputy Mayor Moore extended a congratulations to Marisa and say welcome.

Trustee Thompson added that her and Trustee Sebring have had some discussion about doing a petition regarding the Hill St. Bridge, if town doesn't start to give us some sort of information of what their plan is. They said they're going to attend to it, but still don't have any information, so we're contemplating collecting signatures. Town of Mont truly know that it doesn't have our residents and businesses over there and we've waited long enough. Have extended to the Highway Superintendent there another invitation to come and talk to the village and have not received a reply.

Mayor Sue added that it's safe to say they're not coming.

Trustee Thompson said she assumed that too but is trying to do the right thing by asking him to come. He is an elected official and would like to come and meet some of his constituents.

Manager Revella said that some of us did get to attend Senator Larkin's retirement function. It was very well attended. Good send off for him.

Mayor Rumbold said that we were attendees at the Sunshine Luncheon. Always nice to see them.

Deputy Mayor Moore mentioned the Fire District elections are Dec 11th.

Manager Revella added it's from 6-9 pm.

Executive Session

Deputy Mayor Moore made a motion to enter into executive session to discuss collective bargaining negotiations with the CSEA and PBA. Seconded by Trustee Sebring. All ayes. Motion carried.

Reconvene

Trustee Thompson made a motion to reconvene the regular meeting of the Board of Trustees. Seconded by Trustee Ramos. All ayes. Motion carried.

**Village of Walden Board of Trustees
Regular Meeting
December 4, 2018
Motions & Resolutions**

Introductory Local Law #9 of 2018 – ZBA & PB Mailings

Trustee Sebring made a motion to make the changes as mentioned and give 10 days to return/respond. Seconded by Trustee Kraus. All ayes. Motion carried.

Budget Amendment - NNO

Deputy Mayor Moore made a motion to approve the Budget Adjustment. Seconded by Trustee Ramos. All ayes. Motion carried.

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