

**Village of Walden
Board of Trustees Regular Meeting
January, 2020**

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

Absent: Brian Sebring

Also Present: John Revella, Village Manager
Kelly A. Kelly, Village Treasurer
Gina Somma, Deputy Village Clerk
Dave Donovan, Village Attorney

Village Manager's Report

- Went over grant funding for the Community Center. Things seem to be lined up. We had to remind the state that we got an additional grant.
- Finally got some feedback from NYSEG. Some of the lights are actually repaired now. They are out there at night until the repairs are done. I did provide the board with contact information, in case it ever happens again.
- Went over the residency requirements that we're going to talk about tonight, with the Village Attorney and NYCOM.
- Short meeting with Trustee Thompson and some members of the Tin Brook Alliance and discussed Wallkill River Alliance matters as well.
- Went over the DEC items with the Village Engineer and DPW Super.
- The items that we transferred money for at the last meeting have been acquired and in the process of being delivered.
- Discussed with IWS about the service and bulk pick up. Looking at the week of the 26th of April for bulk. We do have to set RFP's. This contract ends on May 31st. That will be on next agenda.
- Went over some PBA personal matters with a special counsel. Discussed some overtime questions with the Village Treasurer as well.
- Went over a few items in correspondence with the Building Inspector. Some protocols and some items for the agenda. Also discuss Village Code issues with the Building Inspector and the Chief, since they were on committee that reviewed the code last time. Some updates that we may need to look at, especially regarding the roads.
- Went over some software concerns with Treasurer regarding our W2's and 1099. There were some software issues, trying to resolve those.

Deputy Mayor Moore: Does the Building Dept. have their software, yet?

Manager Revella: No. Won't be implemented until sometime in March.

Mayor Rumbold: I wasn't here last meeting, but regarding Amthor Annexation. I'm looking at the time periods for water and sewer hookup. When do they anticipate bringing the rest of the fleet to that location? Because my understanding is they're going to keep the rest of the fleet there.

Manager Revella: That wasn't discussed. What was discussed about water and sewer was they have 12 months to make it happen. One reason was because they have to apply to the DOT and DEC for that connection for the extension. They're allowed to ask for another 12 months. But the Village Board does not have to grant that. And if they don't hook up by the time they're allowed, we start charging them per diem, which is pretty steep.

Mayor Rumbold: My understanding is that they're anticipating bringing you the rest of the fleet from where they have now in Maybrook, to this site. Do they have sewer and water capacity to house that many employees at that site?

Manager Revella: Not currently.

Mayor Rumbold: So, anywhere in this agreement, this annexation, do we prohibit them from bringing any more employees, any more vehicles to that site until they're hooked up to our water and sewer?

Manager Revella: If they change the use from what they currently are, they have to go for site plan.

Mayor Rumbold: I'm talking about if they bring the rest of that fleet there and expect the current sewer and water capacity that they have there to be able to handle all those people. Don't we need some kind of Engineering reports, something that says that they could handle the extra influx of personnel there?

Attorney Donovan: I don't know if the level to which they would increase the use on that. But if there is an increase in use and we did discuss it at the last meeting, the amended site plan. If they lack the capacity, water and sewer with their onsite services to support the increased use, then they wouldn't be allowed to have it.

Mayor Rumbold: So, how do you get in front of it? Are you going to go count buses? How are we going to know what you know? They could have buses leave at 8 o'clock and then bring more buses there from Maybrook and those people who are using the facilities. How do you monitor what the usage is at that site? Once they're annexed in, it's our problem.

Attorney Donovan: We would be monitoring the water and sewer usage. Going to be monitoring the intensity of the land use that's going in there. So that would either be anecdotal or a complaint to the Building Department, it would come here. If you notice that there's like 50 more buses there, then that's obviously increase the intensive use that requires an amended site plan. Part of the agreement is they need to provide us with an as built site plan demonstrating what's there now.

Mayor Rumbold: If they own a business and they have 0 amount of vehicles. Are we're going to have somebody sitting there 24/7 to watch the number of buses that pull off that property in the morning to go to work. How many come back? Who's monitoring that?

Manager Revella: The same as any facility now. You wouldn't notice unless it's noticeable. And if it's noticeable, that's when it becomes an issue. Either from someone from the public or the Building Inspector or any other official, they would have an inquiry at that time. It could be Hannaford. It could be any business in the Village that would have the same issue.

Mayor Rumbold: We don't have any codes in the Village so that we know that they have X amount of vehicles stored there now. That would be what would be allowed for them to have when they annex into the Village, correct? Because that doesn't change the site usage? Does Dean inspect it? Where do we get records from then tell us what the capacity is for that address? Do we tell them what can be on the property at any given time? I'm assuming employees are going to come and go. My concern is they have 12 months to do that hookup. What's going to happen on that site? If they don't have the capacity now.

Attorney Donovan: Who says they don't have the capacity?

Mayor Rumbold: I'm assuming that's why they want to hook up to water and sewer.

Attorney Donovan: That was a draw for the annexation. We compelled them to hook up to the water and sewer.

Mayor Rumbold: And now they have 12 months to do it and they can ask another 12 month extension. Now you're talking about a 2 year period. That business that's going to be there is incumbent upon them getting a contract for the bus service. What if they lose the contract for the bus service?

Manager Revella: Then they wouldn't need the use. The water and sewer would still happen. It's required no matter what is in there. Even if it's vacant.

Mayor Rumbold: They own the property and that goes with the property.

Manager Revella: Yes.

Mayor Rumbold: I'm just concerned about what's going to happen on that property if they're planning on moving that fleet there. Isn't it our business to know what their water and sewer capacity is on their property? Do we have that information? Do we know when we take possession of that property, is that something that they have to provide us?

Attorney Donovan: It's just coming into the Village. We don't own that property.

Mayor Rumbold: Well, we're annexing it, so our Building Department now has to inspect that property and we're responsible for it and what happens. Do we get something that says what their capacity is for water and sewer?

Manager Revella: They know, right now, what their capacity is. They have a septic system that has a certain capacity. They have wells that provide a certain number of gallons per minute.

Building Inspector Stickles: You may also accelerate that, too, because in the sewer code, once they come into the Village, they would have to apply to you for a sewer waiver. If their septic's don't pass, they would have to connect to the sewers. I've also talked to the bus company and once this is over with, they are bringing all of Maybrook buses here. But he's under the impression that he has to come to the Planning Board for approval to do that.

Manager Revella: He does.

Mayor Rumbold: Is the Planning Board going to consider sewer and water capacity?

Building Inspector Stickles: They have to do it under SEQR.

Mayor Rumbold: Can we just keep a note that if that comes up on the Planning Board that that's a concern.

Manager Revella: Absolutely.

Approval of January 7, 2020 Minutes

Mayor Rumbold: Correction to Mayor Rumbold opening Board meeting to Deputy Mayor Moore.

Deputy Mayor Moore made a motion to approve January 7, 2020 Minutes with corrections. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee's Committee Reports

Village Offices Liaison – Trustee Svarczkopf

Trustee Svarczkopf: Treasurer attended a webinar on common errors on the AUD. They finished sending the last of the open items to the auditors. We received a trial balance draft audit savings from RBT and should be able to file the AUD next week. We are having some issues with Edmunds. They're working on that. W2's should be out by January 31st. Starting the budget preparations. The Clerk is working on the Bi-Monthly Calendar. Signed up a bunch of people to go to events. Updated the website and Facebook.

Town of Montgomery & Library Board Liaison – Trustee Kraus

Trustee Kraus: The library, as I mentioned before, is doing the Giants of Our Faith once a month and the next one will be speaking about St. Patrick on February 13th. Also next month, Karen Lang, she's the Musher from Alaska. She's going to bring a dog. Next Wednesday, they have Classic Movie Night, "Sunset Boulevard". If anybody has any troubles with their computers, setting them up or e-mails. You can go to the library every Saturday from 10 to 12:00 p.m. Young man will help you with whatever you need.

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

Trustee Thompson: I did watch the live stream for the Special Meeting for the Moratorium. I will go to the Town meeting tomorrow night. I stopped to see Dean today, but he wasn't in. I don't really have anything to report from the Building Department. Darlene said that anything that has come in for the Fire and Safety Inspections are being scheduled. They're still on target.

Police Department and Justice Department Liaison – Deputy Mayor Moore

Deputy Mayor Moore: Met with Chief last week. Nothing new to report. Reviewed mileage, vehicle usage. A new vehicle has been ordered.

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

Trustee Ramos: We had a School Board Meeting last Monday. They were discussing if they were going to start taking care of the work that could be up in April and May vote to the amount of \$20million. They're going to try and do a lot of in house corrections and additions that they can take care of themselves. Doing some of the repairs at the Walden Elementary School. Spoke to Mr. Bliss. I believe the next Harvest Fest Meeting is February 12th at Walden Savings Bank. They're working diligently, hard on making this one a little bit better than in the past.

DPW Liaison– Trustee Sebring

Absent

Mayor Rumbold read the community events into the minutes.

Public Comment on Business of the Board

Mary Ellen Matise: 54 Gladstone, 36.143 acres all line annexation. Is that going to be R3, R4 Zoning?

Manager Revella: We didn't discuss that yet, but it likely will be R3 in accordance of the Comp Plan, but we'll see as the petition evolves.

Mary Ellen Matise: How much of the 36 acres is buildable because there are a lot of wetlands. I would assume single family homes are staying R3. Houses and new construction are going for pretty good prices. I don't want to live next door to stuff is on the North side of 52. There are a couple of garages there and it's just absolutely ugly. Unless we can control those kinds of uses that are still in Town. What are we offering the residents?

Becky Pearson: 167 Walnut. On the annexation, before you move forward, I'd like to hear the discussion of what you're going to be doing before you get into a situation where you don't know what the zoning is going to be. If I was sitting on the board, I might actually try to make it a new zone. The Town of Montgomery zoning is 2 acre lots. Maybe we can make it larger lots for new annexation coming in. You don't know what our water and sewer capacity is going to be in the future. Should have that discussion now on possibly creating a new zone for any properties that are annexed into the Village of Walden. I'm saying 1 acre lots instead of 2. If you look at the homes that are built on an R3, it's a huge house on this little tiny lot. Something to think about possibly creating before you move forward and getting the Town and setting up a Public Hearing and then only having 60 days or so to pass it. Residency requirements, I'm guessing that is for people who have high offices in the Village of Walden. Whether they live here or not. People with high offices, especially emergency personnel, should be living here. You want to have that person nearby. We a past manager that did not live in the Village of Walden and it was not good for the Village. This manager does.

Action Items

Walden Policies

Manager Revella: This is just a matter of how the Board feels about the ones that were discussed last time.

Deputy Mayor Moore: The memo wasn't attached to the packet because when the Clerk asked for the memo on Friday. I typed it up. She sent a packet out saying that when she received it she would attach it to the packet. However, there was still 1 of the items that we were waiting for some feedback from the Village Attorney on. When we had discussed it at the last meeting, I took the liberty of typing up from everybody's comments based on those 4 items, but there was one item that we were waiting on comment from the Village Attorney. Honestly, I feel that we should table this for tonight until we're able to get a memo out to the Board and have further discussion. What I have in front of me is the same bullets that were in last meetings. Then took the comments that everybody made, added a few things like time limits and that kind of stuff. But it's not ready to present because we're still waiting on one item.

Attorney Donovan: Just reminding the Manager that we did have a conversation Friday afternoon on this issue.

Deputy Mayor Moore: I would suggest we table it for next meeting.

Manager Revella: So the public is aware, it was for the same items that were discussed at the last meeting. Just more clarification.

Discussion – Annexation Petition

Manager Revella: We did receive an annexation petition in September. There wasn't much movement on it, because we hadn't heard from the Town. We really can't do anything without hearing from them. The Town has reviewed the petition as well and asked whether we would be inclined to hold a joint meeting on February 18th at 6 p.m. to discuss the petition and where to go from there.

Mayor Rumbold: That's our second meeting of the month. Was there any information?

Manager Revella: The only thing that you don't have in your packet is the map. Otherwise, you should have the petition itself.

Trustee Svarczkopf: The petition itself is kind of light. How much is buildable? What is the intention of the owner?

Manager Revella: Whenever we set the meeting, they will come and answer questions.

Trustee Svarczkopf: But then there's a 90 day time limit.

Manager Revella: That's not the Public Hearing.

Attorney Donovan: It's a Joint Public Hearing. I think if you want more information, you can ask for it at that meeting and ask for additional time. Which is what we did with the other applicant. The extent we needed, they extended our time. You always can vote against the annexation. If you don't feel like you have enough information, you can request that information. I don't want to push the Board into a meeting if you're not ready for that meeting. At the same point time, meetings generally generate information, can ask questions at that time to say you're not satisfied with X, Y and Z. If you recall, it happened with the prior annexation in terms of the violation that we thought it was to discuss the issue of the environmental cleanup of the property that was discussed. Those meetings were discussed at a joint meeting.

Trustee Svarczkopf: When you say ask for extra time, is that up to the applicant?

Attorney Donovan: They can say no.

Trustee Svarczkopf: If they push it, it's 90 days and it's set from that Public Hearing.

Attorney Donovan: I don't want to misspeak. My recollection is that is. The Manager seems to have a different recollection. 2 Attorney's and 2 opinions.

Manager Revella: Right now, the only question that they're asking for is to annex the property in. They're not asking for anything in particular to do with the property. Just have it in the Village. That's all I have in the petition in front of me.

Trustee Svarczkopf: We set zoning at the time of annexation.

Attorney Donovan: It comes in at the least dense residential zoning by default.

Manager Revella: The largest lot size we have, R3.

Trustee Svarczkopf: What size is R3?

Building Inspector Stickles: 12,000 square feet.

Mayor Rumbold: The application is just that they have land and they want to annex it in to the Village of Walden.

Manager Revella: That's correct. Right now, that's all it says. Down the road, they may ask for some other use, but they have not done that yet.

Mayor Rumbold: But if you're gonna take property for annexation, isn't one of the reasoning's is that it will benefit the Village of Walden? If you don't know what they want to do with it, we don't know what the size of it is.

Manager Revella: We do know the size, it's coming in as R3.

Mayor Rumbold: I get it, but how much of that land is usable? I agree with Dan.

Trustee Svarczkopf: If all of it is usable, which it's not because the Tin Brook runs through it, but that is 145 more homes. On that side, do we have water and sewer for it?

Manager Revella: They can put 1 house there in the future if they wanted to.

Trustee Svarczkopf: I'm skeptical to even start the 90 day process if we don't have a proposal of what they want to do to that land.

Mayor Rumbold: Why is it going to benefit the Village to take land? What do they pay now for taxes?

Manager Revella: Nominal. It's a vacant property. The benefit to us now, is to have the property in our periphery in the Village, helps us to control our periphery. It's in our control even if they develop nothing or something and not the Town's control.

Trustee Svarczkopf: It is near our wells, if we bring that in as land and zoning, could we zone it something other than R3?

Attorney Donovan: Depends. He'd have to have some sort of analysis. You couldn't make it an island unto itself. You can't spot zone. You would have that bear some relationship to adjoining zones and adjoining land uses.

Manager Revella: The adjoining land is R3. If you consider across the street, it's B4.

Attorney Donovan: I don't want to speak for the applicant. If you don't recognize the name, he's a single family home builder. I think we can all do the math. He wants to come into the Village because he gets more lots.

Manager Revella: We don't want any septic's there by the Brook. We're already in trouble for the condition of the Brook as it is. That's a benefit. The water is not an issue for us. The sewer capacity is something we have to talk about. Depending on what they're going to do there in the future. That comes up when they do a site plan. Right now, there's no site plan because it's vacant property. There's no need for one.

Mayor Rumbold: Are you saying that this person is going to bring all this information with him, if we set up a meeting?

Manager Revella: I can have it come at the next meeting. I can do whatever you ask me to do, I'll ask the applicant.

Trustee Thompson: I would feel more comfortable if we had more information.

Mayor Rumbold: Tell them the questions that the Board members had and tell them that we want them to bring us more information, because this tells me nothing.

Discussion – Residency Requirement

Manager Revella: In assessing appointed officials with the county, I had some questions about certain titles and what the requirements in the law. We found that there are several by law, but there is enabling language that allows a Municipality to amend that to include the Town in which they're in or the County in which they are in, if they so choose. In researching that, we found that there was a position that was afforded the opportunity to reside outside the Village, but not by the proper procedure. So we wanted to correct that. Someone was granted a waiver in the past by a motion that should have been by a Local Law. 2 previous Village Treasurer's ago.

Attorney Donovan: It looks like what happened back in 2000, is that the Village adopted the Local Law, which is verbatim with the State Law. The State Law requires certain appointed officials to reside within the Village. With some exceptions. But when the Village adopted the Village Law, they just repeated the State language that says that the Village may provide in lieu of any other residents required imposed by law, at any appointed Village Officer may reside within a Town, which the Village is wholly or partially situated. Within a County in which the Village is wholly or

partially situated, or within specified areas of the County, which the Village is wholly or partially situated. What appears to happen is that the Board granted a waiver based upon that language, but that language enables the adoption of a Local Law that would provide for one of those contingencies. Either in a Town, a specified area of the Town or in the County. But that was never done and that needs to be done. If you want to allow appointed officials to live outside the Village. If you don't, then you don't have to do anything.

Manager Revella: It can be certain positions, just depends on how you want to do it. The appointed are Clerk, Treasurer, and Manager and then a Local Law is also the Police Chief.

Mayor Rumbold: From what I remember from my tenure on the Board, the Clerk and the Police Chief have to reside within the Village.

Manager Revella: And according to our law, the Village Manager and the Treasurer do as well. As some of you discussed, there can be certain distances if you wanted to do, within the Town or within the School District or within whatever you wanted to make up would be up to you. I wouldn't have it as a time, but more as a distance because you don't want people living too far away.

Mayor Rumbold: The only one we really were concerned right now is the Treasurer, because the others have to reside in the Village.

Trustee Thompson: The discussion was, if we're going to amend this, not just focus on that one position. Otherwise, we're going to have to turn around and do this over again.

Trustee Svarczkopf: I understand the position this puts us in for the Chief's position. The Chief should live in the Village. The Manager as well. Because if there are emergency situations, those 2 need to be here. The Treasurer and the Clerk, I think I would be okay with putting them 2 or 3 miles around the Village.

Trustee Kraus: I feel the same as Dan. Chief and Manager should be in the Village. The Treasurer and the Clerk can go either way.

Trustee Thompson: Being a person having worked a job where I had to be on emergency call frequently, I did not have to live in the City of Middletown. There was an expectation that if there was an emergency, you had to be ready to go in 20 minutes. We had people that lived all over. Some had to stay at the hospital if they couldn't accommodate the rules. I feel like I get the idea why people want someone to live in the Village. I don't think it's a necessity that everybody that lives in the Village because I think we're going to run into issues where we really narrow our pool of candidates for certain jobs. We've had some really good applicants that we had to turn them away because they don't live in the Village. I know we had Managers in the past that didn't live in the Village. Treasurer, too. I don't know about Police Chiefs. I don't see why that has to be an absolute necessity for some of these jobs. I think we can broaden our pool a little. I don't know if I agree to anywhere in the County, but I don't think it's unreasonable to say the Town of Montgomery. Because of where our Village is situated, we would have someone who could be living in Ulster County, the Town of Crawford, the Town of Hamptonburgh, and Town of Newburgh. I'm not quite sure what the restrictions should be, but I don't think we need to make everybody live in the Village of Walden.

Manager Revella: I just want to clarify something for you before you continue, there is an exemption in Public Officer's Law regarding the Police Chief. But in our Village, that has never been applied. Just so you're aware.

Deputy Mayor Moore: Do we have the ability to make this decision based on each position and it's not an all or one thing? We're just having a conversation now so we don't have to have it again later. I feel like that there are some positions that I think is important that the person lives in the Village and some that are not. I would really like to continue this conversation. I'm not ready to render an opinion or decision tonight on it.

Trustee Ramos: Couple of key positions, Chief, Village Manager. I look at this as an incident command structure where these critical positions need to be responsive in a matter of minutes. There are critical issues that could be happening in the Village. The Manager would have fiduciary control over expenditures. We have water main breaks. His response should be immediate and should be coming from within the Village. Also, Chief, yes, we have supervisors, but our supervisors don't work weekends. His response is to any type of incident, whether it be in school, a major crisis, hostage or even a tractor trailer accident in the Village. His or her response should be immediate and within the Village. If I had it my way, the Superintendent of Highway should be a resident, but I don't have that call. But those 2 positions are critical and key. I'm all for drawing a circle within our geographical map of 2.2 square miles, to within a reasonable distance for the other positions. I am still open to further discussion.

Deputy Mayor Moore: I would like to see a map with what a 2 mile radius looks like. What the map of a 5 mile radius is. I think, as Trustee Thompson mentioned, no further mileage of radius gets us into another county, gets us into other Towns. I think that's too far. I heard somebody make a comment about the School District. I think that would be something I would be open to as well.

Trustee Thompson: Just want to comment on what Trustee Ramos said. We all know where our current Chief of Police lives. If we have another person who lived in the house right next door to him going further out on Wait Street, he wouldn't live in the Village of Walden. I don't think that's going to change the response time one bit in an emergency.

Trustee Svarczkopf: But the line has to be drawn somewhere.

Trustee Thompson: Exactly. But to say that you absolutely have to live in the Village and I'm not picking on just the Chief of Police, if you are 250 feet outside the Village limits I don't think that should make it so you're not an appropriate candidate for some of these positions.

Trustee Svarczkopf: What if we draw a 2 mile radius and they are 2.1 miles, the line is set. It doesn't matter whether it was set at the outside of the Village or we set it at 2 miles. That situation happens no matter where we draw that line.

Trustee Thompson: I'm saying you can have a very appropriate response time and live outside the Village limit and still be a wonderful candidate for a position.

Trustee Svarczkopf: It's a great question. But we're saying so we don't have to write this law again. How much does it cost to draft a law like this?

Attorney Donovan: For better or worse, I'm on a general retainer. So, if you ask me to do it a 100 times, it's the same.

Manager Revella: The charge is with the State and with eCodes. We have to pay eCodes and pay to publish in the newspaper. Dave is on retainer so his drafting isn't any extra to us.

Trustee Svarczkopf: How much does it cost us?

Manager Revella: eCodes? It depends how many updates we get and the copies. Few hundred dollars for them. Newspaper postings are probably around \$180. Probably looking at \$600-700 each time.

Attorney Donovan: For what it's worth, I do think directing me to prepare something that you may or may not act upon, is a good thing, because having something in writing in front of you is going to prompt you to think the issue. I think it's helpful to go through several iterations. We've gone through several iterations before and decided not to act. That's absolutely fine, because the process is important.

Deputy Mayor Moore: And your investigation, finding how it was done in 2000, that 1 position was granted a waiver to live outside of the Village and was done improperly. Are we now on a time constraint to rectify that?

Attorney Donovan: My view of that would be no, that you have a reasonable time to act. But you can't ignore the issue. Now that the issue is in front of you. I think you should move with all deliberate speed to try to take whatever action you're going to take.

Manager Revella: Do you want Dave to draft something?

Mayor Rumbold: I think it's important. It's always been the Police Chief, Clerk and should have been Manager that live in the Village. It was just the Treasurer that wasn't listed. I understand what you mean about candidates. I think that if somebody wants a job and that's something you have to do to have the job. Jeff Holmes owned a home outside of the Village when he was a Police Officer. He wanted the job as Chief. He had a certain length of time and he bought a property in the last year. He wanted the job. He knew that he had to live here and he sold his house and moved.

Trustee Thompson: I understand that. That's a lot. That's asking people a lot to uproot their whole lives. I'm just saying that if you live within a reasonable amount of time, I don't think that's unreasonable.

Mayor Rumbold: It does make sense. But as Dan said, how many times are you going to change that line? I remember to be FDNY or NYPD, you have to live in the City of New York. Then they started to expand that area. So, where do you stop that expansion? I don't think it's such a bad thing that people who work in those positions in the Village, pay taxes to the Village. When you're a Department Head, somehow you get a little more frugal with what you're spending because you're paying the taxes to support that Department and that position.

Trustee Thompson: I get it, but it also makes me wonder, as John Ramos said. You let certain Supervisors live outside the Village. Some that do need to be here when it does hit the fan and they

don't live here. How do we differentiate who is more important that they need to live in the Village and others do not?

Mayor Rumbold: Who am I to say who is more important? It's the way it's always been, but if we're rectifying the 1 position, because it was done improperly. That's 1 issue. The other issue is, do we want to move on to the other positions and change the requirement? Let's have Dave write something up and see what it would look like and then we can continue the discussion.

Trustee Svarczkopf: The law right now doesn't exempt the Clerk. Do we want it to? Most of us mentioned that the Manager and Chief but not the Clerk.

Mayor Rumbold: As I said, it's always been Village Policy.

Manager Revella: It's in the law that they have to live in the Village.

Attorney Donovan: My speculation is back in 2000, they may have thought at that time that that gave them the right to grant waivers, because the language does say that you can live within the Town.

Mayor Rumbold: Maybe the Attorney of record at the time, because I'm sure there was a discussion that maybe the Board was advised that that was the proper way to do it. We now understand it's not. That has to be rectified.

Attorney Donovan: I can write a law that puts a couple of different positions for the next meeting.

17-19 Bank St – Set hearing Under Unsafe Buildings

Manager Revella: I had a nice conversation with the Building Inspector about some updates on the problem properties. He pretty much went through a plethora of them. These 2 in particular, he thought would be in our best interest to have before the Village Board for hearing for being an unsafe building. Need to schedule a hearing for them to come before the Board to be heard on what the Board wants him to do to fix and rectify the matter. If they're not, then we charge them.

Mayor Rumbold: They've received notifications of need to fix things? They've been ignoring?

Building Inspector Stickles: 17 and 19 Bank St are owned by one entity Cynthia Boakye. I had her in court. However, she was under bankruptcy and it was withheld. I couldn't go any further because of the bankruptcy. 1 property, 19 Bank St, has since gone on to a mortgage servicing company within the last 2 or 3 weeks. That's the one with ceilings falling in and the front porch is falling off.

Mayor Rumbold: Have they been served with any notification that there are things that need to be fixed on that?

Building Inspector Stickles: They have not, but it's on the record of the property.

Mayor Rumbold: So, we don't have to give them a certain amount of time?

Manager Revella: 5 days.

Attorney Donovan: I don't want to put Dean on the spot, but reading through the code, it does require that you make a formal inspection, initial report in writing.

Building Inspector Stickles: I didn't do that, yet. I wanted to start the process so these 2 buildings don't sit there any longer in the condition that they are. They right across from Millspaugh Funeral Home and Walden Savings Bank.

Mayor Rumbold: If we set the hearing for an Unsafe Building for the next meeting. Meanwhile, will Dean file that necessary paperwork? Is that enough time?

Attorney Donovan: What's your timeframe to prepare a written report?

Building Inspector Stickles: I would much rather do it for the 2nd meeting in February.

Mayor Rumbold: If you did the inspection, you must have the data from that inspection.

Manager Revella: He has to do the write up and then we have to cite them at least 5 days in advance of the hearing.

Trustee Thompson: I'm just confused. The same person owned both of these properties, at one time. They were both in bankruptcy?

Building Inspector Stickles: Yes.

Trustee Thompson: So, one of them has been taken over by another company. And the other one is still owned by the same person. Is it still in bankruptcy?

Building Inspector Stickles: I don't know.

Mayor Rumbold: You only went for 19 Bank St?

Building Inspector Stickles: I took both 17 and 19 Bank St to court before. They were both in bankruptcy at the time. I do not know at this point whether 17 has come out of bankruptcy.

Mayor Rumbold: How do you find that out?

Manager Revella: We can move forward even if it's a bankruptcy, regarding unsafe condition. We can't levy a fine.

Attorney Donovan: We can't take action to collect a debt or impose a fine. But if we have an unsafe condition.

Mayor Rumbold: He took them to court. It had to stop because the properties were in bankruptcy.

Manager Revella: If you still have the documentation, give it to Dave.

Mayor Rumbold: You guys figure it out. If we could do the hearing, we'll do it on the 18th. Let's figure out what the situation is.

Trustee Svarczkopf made a motion to set hearing for 17 Bank St for February 18, 2020 at 6:30pm or soon thereafter. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Trustee Svarczkopf made a motion to set hearing for 19 Bank St for February 18, 2020 at 6:30pm or soon thereafter. Seconded by Trustee Ramos. All ayes. Motion carried.

Public Comment

Mary Ellen Matise: Residency requirement. You may recall Harrison Street. That manager who told us, "I can't come to the Village tonight because my mother in law's basement has water in it." Meanwhile, Harrison Street is totally flooded out. But if he lived in the Village I would have went to his door and dragged him out. We should never be putting ourselves in those positions for those 4 positions that you're talking about. It's not a big deal to have Treasurer, Clerk. Marisa moved into the Village. I know you're thinking it limits the labor pool, to a certain degree it does. And the Chief moved. I agree, Sue. They should be paying the taxes. Pay for their own position. Budgets, bond and debt payment of \$264k. For a total of 3.4 million court settlement. Maybe you better vet this guy before you decide annexing his property. It's about his soil contamination from the Town garage on to his property. You know they past issues in the Village of Montgomery. And now that we're annexing property across the street, that creates the same kind of contamination issue. Have they asked for a traffic study before they double the bus load there?

Manager Revella: If that's part of the Planning Board's process, including SEQR, then that's what they'll do. That's up to them.

Mary Ellen Matise: I do have a request for the Climate Smart Initiative and Lynn is on the Task Force for the Board. But we would like someone from the Planning Board to be on the Task Force, because a lot of the ideas and incentives that the State is promoting, next one is about heat sourcing, there will be a presentation by someone from NYSERDA. It would be good for somebody from the Planning Board because they're really going to be the Board that's going to be presenting these ideas to developers. We'd like maybe somebody to talk to the Planning Board or maybe the Manager.

Mayor Rumbold: Who is the Chair for Climate Smart?

Trustee Thompson: John and I are doing it.

Mayor Rumbold: Can you make a request to the Planning Board and see if anyone is interested?

Trustee Thompson: We can ask. Can't force them to.

Becky Pearson: 2 things. Do you have any discussion of these residence requirements before this meeting?

Manager Revella: We had some minor discussion in executive session about some items that were in reference to it, but not in particular that was discussed tonight.

Becky Pearson: Why would that be an executive session?

Manager Revella: We're talking about employment history of a particular person in executive session.

Becky Pearson: I know you had an important position, saving lives. That's a wonderful position to have, but it's not a CFO or a Chief of Police in the Village. Just going to mention Harrison St as well. If anybody wants to know about Harrison St, I'm happy to talk about it. It was a disaster. The Police Chief was basically told not to come. It was very sad for these homeowners. I was down there all night with these people. They couldn't lock their homes. The water was coming out of the basement. Sewage everywhere. We had people who were not doing their job and felt that they didn't need to be here. So, to have those people within your Village and knowing that they're here, is probably 1 of the best things you can do. If you want another job, you can move to another State, other Counties if you want. If you want that job, you will move to where it tells you to go.

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 Thompson: Received an email from Patricia Henigan about Climate Smart. Something is set up for January 23rd, but she can't go. I don't know if that meeting is still going on.

Deputy Mayor Moore: Received a letter regarding diversity of the Hasidic Community. I believe that was sent out to all the Officials in Orange County.

Trustee Ramos: I did receive that. My wife is Jewish, so I don't have a problem. I received a letter from Ms. Irene Hernandez regarding the dispatching discussions. Will give this to the Clerk for her files.

Miscellaneous Comments from the Board of Trustees

Trustee Svarczkopf: Last meeting we talked about the possibility taking a look at the immediate things on the Comp Plan more often. I was seeing if this Board was okay with me taking the top 10 most important things that we can accomplish and put them at least at some point in our meetings over the next 12 months to keep them on our radar. I want to apologize to the Clerk. She emailed me last week asking for a plan for the A/V equipment as we go into the Budget Season. Haven't gotten back to her because I've been looking at it. Last Board Meeting, we talked about video recording the meetings. Maybe not live streaming it, but recording it. Wasn't sure what we landed on. I know it's allowed, but I didn't want to do it without the rest of the Board being on board with it.

Deputy Mayor Moore: It was brought up there and miscellaneous comments in the last week about in the Miscellaneous Comments in the last meeting about video recording and posted the video. There was no further discussion about it.

Mayor Rumbold: I say put it on the agenda so we can discuss it.

Trustee Svarczkopf: Talking to a resident down on Northgate. Their driveways are so close together they can't figure where they're going to put their snow. Their lawns are closer to their house. But in between the driveway, there are no lawns. So, it's hard for them to get the snow out of the street and when they finally do, it gets plowed back in. I went down there wasn't a lot of snow so I didn't get a lot of sense of what it would be if it was a foot.

Manager Revella: When I lived there, we used to shovel it into the yard.

Trustee Svarczkopf: They were wondering if we could plow to the end of the street or pick it up and move it somewhere else.

Mayor Rumbold: We can't pick it up and move it or we'll be doing it on every street in the Village. Unfortunately, that's a consideration when you buy a house. I know you don't think about it until it snows. They can pay to have someone come and plow their driveway out and tell them to remove it or they just shovel it into their yard.

Trustee Svarczkopf: When I was looking at it I didn't see a good solution.

Deputy Mayor Moore: Mine gets plowed into my yard.

Trustee Svarczkopf: Would you be opposed to sitting down with John and looking through the Comp Plan.

Mayor Rumbold: I think that's something that the Manager should do and present it to the Board. Also, input from the Planning and Zoning Boards. They brought us stuff in the past, so if they have issues that they're dealing with on their level they could bring it to the board.

Manager Revella: We have several items on that list that are for the Planning Board as well.

Mayor Rumbold: Maybe with everybody's input, we can check on them in certain intervals.

Trustee Kraus: I saw NYSEG out doing some of the street lights.

Trustee Thompson: The lights, I'm glad they're beginning, but I think we need to really pay attention and stay on top of that. There are far too many lights out in the Village.

Manager Revella: Just so the public is aware again, on our website is a place where you can report lights that are out. A form for NYSEG. That's how they get the work orders together. Just have to make sure we keep doing that.

Trustee Thompson: I went to the last Community Council meeting to the first half of it where they talked about Harvest Fest and they are definitely well underway planning for this fall's Harvest Fest. Apparently, there's been a lot of controversy over Little Miss Walden. They're no longer going to be doing that. They're looking for suggestions and input from the community about some other activities that perhaps people would like to see. I sent Jodi Lynn a list today, because I was told a spelling bee or maybe the 5th graders or middle school age children in our School District, maybe prelim on a Friday night and finals on Saturday. I was told definitely keep the baking contest, maybe add chili and wings and have a competition that maybe you would get some other type of chefs out. I don't know who would want to judge that, but not me. A poster contest, that the winner could perhaps get their winning picture on a T-shirt for the following year's Harvest Fest. Community Council could sell them to make some funds and a bicycle rodeo, where children could decorate their bikes and perhaps the Police could do some type of a safety thing. There could be prizes for that. A pet parade where you would dress your pet in some costume and parade them around in front of the judges. Those are the kind of things people have been voicing that they might be interested in. The only thing is if we're going to add activities like that, Mike and the Community Council both agree that we need a lot more volunteers. They are stretched thin doing the activities

we're currently doing. They asked me if I could let our Board and people in our community know that they would need more volunteers to make these kinds of activities come to fruition.

Deputy Mayor Moore: Want to check on the progress of the stop sign on Northern and the parking spot here on Main Street.

Manager Revella: He was supposed to be marking out for the stop sign. And can't paint the parking spot really until spring.

Trustee Ramos: I attended a wonderful Walden Woman's Club event this past Monday on Martin Luther King Day. Our Senator, County Legislator and Town Supervisor attended as well. The young ladies from Girl Scout Pack 285. They did a tremendous job at the cemetery. Cleaning up some of the Veterans and old Soldiers tombs and head pieces. Great turnout for the families. The video was very, very touching especially since I'm coming from the Military side. Kelly O'Connor, she won the Gold Medal Award. She streamlined a database, the whole cemetery and St Mary's. That was a tremendous amount of work.

Mayor Rumbold: I've had numerous people ask me if we're going to do anything about new flags on Veterans Bridge. They noticed some of their flags are missing. I don't know whether they've blown off or fell apart. Maybe we could do something about new flags.

Manager Revella: When we got them last time, the families paid for them to be put up there. Some that came down, we gave back to the family members. Maybe some people aren't aware that the other family members have them.

Mayor Rumbold: I just think they're starting to look a bit tatty and worn. Maybe that might be something to do in the spring. Do another purchase of flags or there might be other families that are now interested in having flags. We could change them more often, they might last longer. Still, 18 wheelers coming off at 52, going down East Ave to get to Sherman. Talked to John Conklin, he's at the D.A.R.E. Conference. I spoke briefly to Trustee Ramos. We have D.A.R.E. in the elementary school. Then there's nothing. John's willing to come and do a presentation to the Board that maybe we could write a letter to the School Board or the County. There are so many things being introduced in curriculum in schools. We now have the bail reform. Maybe it's a good idea to continue the D.A.R.E. Program through middle school and high school. Maybe it will prevent people from getting arrested for crimes so they wouldn't have to worry about whether they're going to have to post bail or not. We've done such a good job here in the Village with the kids in D.A.R.E. and MBP and then it's dropped. Maybe it's something the community needs to get behind as a preventative tool for kids.

Manager Revella: We pay for school resource officers at the middle and high school. Not sure what their duties entail. Something that we should really talk about, but we can pay for it.

Mayor Rumbold: So many things being introduced to the curriculum these days, maybe this would be something that we can add to that list. Maybe something the community can get behind. A program to keep youth from getting into that situation anyway.

Manager Revella: Want to make sure everyone was aware that the D.A.R.E Graduation at Montour Falls is Friday at 10:30. Officer Conklin and Officer Rios are both graduating and several of our

Part Time Officers, sponsored by other departments are also graduating. Officer Kolvenbach, Officer Greany and Officer Brooks. Chief will be up there for the graduation.

Manager Revella: I want to update the Board that on January 28th, we have PBA discussions. I'm meeting with our special counsel on the 23rd to go over a couple of items for CSEA, but we're not ready to have a meeting yet on that. Both Trustees aren't available anyway to talk about it. So, we'll get a date for all them to do an update for CSEA as well.

Executive Session

None

**Village of Walden Board of Trustees
Regular Meeting
September 17, 2019
Motions & Resolutions**

Approval of January 7, 2020 Minutes

Deputy Mayor Moore made a motion to approve January 7, 2020 Minutes with corrections. Seconded by Trustee Ramos. All ayes. Motion carried.

17-19 Bank St – Set hearing Under Unsafe Buildings

Trustee Svarczkopf made a motion to set hearing for 17 Bank St for February 18, 2020 at 6:30pm or soon thereafter. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Trustee Svarczkopf made a motion to set hearing for 19 Bank St for February 18, 2020 at 6:30pm or soon thereafter. Seconded by Trustee Ramos. 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.