

**Village of Walden
Board of Trustees Regular Meeting
May 19, 2020**

Mayor Taylor 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 Taylor
	Trustees	Faith Moore Brian Sebring John Ramos Larry Kraus Dan Svarczkopf Lynn E. Thompson

Absent:

Also Present:	John Revella, Village Manager Marisa Kraus, Village Clerk Kelly A. Kelly, Village Treasurer Dave Donovan, Village Attorney
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Public Hearing - CDBG

Deputy Mayor Moore made a motion to open Public Hearing – CDBG. Seconded by Trustee Thompson. All ayes. Motion carried.

Manager Revella: Just to let everyone know, there is only a very small number of blocks that qualify for CDBG now, because people in Walden aren't suffering as much from poverty as they used to. We only have certain blocks that we can work with for CDBG. We have certain things that we can do with CDBG. After consultation with the engineer and with the DPW Super, we felt our best bet for getting funds and using the funds is for Oak Street sidewalks. That's in the zone and it's something that we can take care of that is in need. The public has 10 days to submit comments through email to the Clerk or letter to the Clerk.

Mayor Taylor: How much are we applying for? The maximum?

Manager Revella: Yes. \$125,000 a year is the maximum. Usually, we get around \$75,000.

Trustee Sebring: How far down Oak St will that take you?

Manager Revella: Depends on the bid price, but we will go as far as we can. Hopefully that gets us about a thousand feet. Both sides. Start at the top and work our way down.

Mayor Taylor: Can you ask the engineers when we apply for that, there's that one section where larger trucks go through all the time. Is there a way to reinforce that area so it doesn't deteriorate so quickly because of the trucks that go through there?

Manager Revella: Yes. Use a higher pound concrete.

Mayor Taylor: What do other municipalities do when you have a section of sidewalk that actually belongs to the Village, is that unusual wear and tear?

Manager Revella: It's old, mostly. Some parts are because of vehicles driving on sidewalks. Salt on the sidewalks, trees pushing sidewalks. Different reasons. In the past, we've used CDBG for sidewalks or sewer lining. In this section right now, the best thing we can do with it is try to do some sidewalks.

Trustee Svarczkopf: I think the sidewalks that we're doing right now look amazing. And when you drive through that part of the Village, it just makes the Village look that much nicer. So, I think that's a good idea.

Trustee Sebring made a motion to close Public Hearing – CDBG. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Village Manager's Report

Manager Revella: As the board knows, I've been doing the daily briefings for the COVID updates from the county and from the state. Working on the status, social distancing, making sure the departments have the proper PPE and are also compliant with the new laws as they come out and executive orders as they come out. Been working on some 207c Worker's Comp issues with the Clerk. Since the last report, we went through the budget hearings, budget sessions and finally passed the budget last meeting. Went through some issues with Special Counsel on the Cares Act and time off for the various departments. They were all having questions on that, coverage issues, including Chief, Rec Coordinator and Public Works. Had several conferences with the Village Attorney about those declarations and the Clerk with updates to the website and Facebook page. Went through the relevy and also through a lot of accounts to make sure we're getting the right to levy accounts with the Treasurer, including doing an in-depth review of all garbage accounts to make sure they're getting billed properly, so that our new contract with Interstate Waste is accurate as well. Several meetings with the Clerk and the Treasurer about coverage in the office since we had people out due to COVID and maternity as well. It was a little rough for a while there. Met with the DPW Super, we've gone over several different maintenance issues, including planting trees with the Rec Department at the parks and at DPW. Went over catch basins had a couple of water breaks. Some patching, vehicle maintenance, hydrant flushing is finished and had some repairs to water mains from the leak detection audit that we got through the county. Several dig permits that have gone on and review of the projects that are going on East Main Street, which you saw, is completed, and Ulster Avenue, which is ongoing. Review the park maintenance with the Rec Coordinator, as well as staffing to make sure that there isn't a lot of overlap and they're maintaining social distance while they're at work. We have the 2 Full Timers doing park maintenance now since there are not really any rec programs going on. We don't have the part time staff there. We just have the full timers doing a lot of work. We're going to have to roll in some part-timers as the maintenance increases, including the citations that were issued from the Building Department for unkept lawns. Most of those are vacant properties, but they'll continue. We've been coordinating with the building department on those. He's also making sure that the parks are being maintained, even though the facilities themselves aren't open. The parks are open for use to the public as long as they're maintaining social distance. Chief and I have been going through protocols and staffing. 207c issues with some COVID scares that we had. Thankfully, we've had 0 positives amongst the Village

Employees, but we've had some close calls. We had to monitor those and make sure that everyone's being safe. Went through the vehicles with the Chief and staffing. We're doing our due diligence now on replacement for that position and to see what we're gonna do with that, as you noted at the last meeting. Really just maintaining what they can as well as trying to stay safe when responding to calls. The 911 was trying initially to make sure that people were aware of positive houses, but it got a little bit too much and we just treated every call if they're going responded to a positive household. Also, with the Building Department, we established protocols for doing inspections. He's not doing inspections when people are home. They're coordinating times when it's safe, when they're empty or are doing whatever you can exterior and not having to do interior as much as possible anyway. Appointment only at the Building Department has been helping to make sure that there's not a lot of cross contamination. The same thing we're doing here at Village Hall.

Deputy Mayor Moore: With the protocols that are put in place with the Building Department from doing inspections, does that include fire and safety inspections? Are they currently being done?

Manager Revella: Yes.

Approval of Minutes May 5, 2020

Deputy Mayor Moore made a motion to approve May 5, 2020 Minutes. Seconded by Trustee Sebring. All ayes. Motion carried.

Action Items:

CSEA – Potential Ratification

Manager Revella: We had thought we were close to ratification with the CSEA agreement. I don't want to speak out of turn on this. Ashley Torre, our Special Council, if you want to just let them know the status without talking about negotiations outside of executive session that would be great.

Ashley Torre: Glad to hear that everyone is staying healthy. As John had mentioned, we were pretty close to finalizing the memorandum of agreement. But as of recently, there was one issue that we have a disagreement on that we need to resolve in order to have that agreement signed and then ultimately presented to the board for ratification. We could talk about that going into executive session on this issue to kind of go over the details of that.

Mayor Taylor: Sounds good.

Resolution 20-19-20 – Levying Village Taxes

Trustee Ramos made a motion to approve Resolution 20-19-20 – Levying Village Taxes. Seconded by Trustee Thompson. All ayes. Motion carried.

57 Sunset Drive – Small City Loan Write Off

Manager Revella: We had brought this up in the past, but the board never took action to actually write off the loan. It's just a bad debt. The person passed away. The property is foreclosed upon and there weren't sufficient funds to pay off the primary note and our note.

Trustee Svarczkopf: Are there no other options? The property obviously got transferred, so we can't put a lean on the property.

Manager Revella: It was foreclosed upon and our debt was wiped.

Attorney Donovan: We had a subordinate mortgage. The superior mortgage foreclosed and we were improperly named in the foreclosure. Property sold in foreclosure. *inaudible*

Trustee Ramos: I realize that the old owners had passed away. Is there an estate that we could attach to? \$27,000 is a lot of money and they sold the house for \$205,000. What's our recourse?

Attorney Donovan: In terms of recourse against the property, we have none, because we were named in the foreclosure action. There is a potential that I had investigated some time ago. Kelly, John and I have had this conversation about pursuing the obligation of the note remains right. The personal promise to pay back on the note remains. But I don't recall the particulars. I believe we concluded at the time that that was not an alternative. But if that should change for some reason, writing off the debt is a bookkeeping function. That doesn't mean if we have the opportunity to *inaudible* we couldn't do that. There's nothing to attach. We could submit the claim for a proceeding.

Deputy Mayor Moore made a motion to write off small city loan for 57 Sunset. Seconded by Trustee Sebring. 6 ayes. 1 opposed. Motion carried.

CDBG – Oak St Sidewalks

Trustee Sebring made a motion to apply for the Oak Street Sidewalks, pending public comments. Seconded by Trustee Ramos. All ayes. Motion carried.

2020-2021 Fee Schedule

Manager Revella: We had a couple of requests for changes during the budget. Want to make sure that the board is aware, so we could add those to the fee schedule. Then we had noted that there was one item that was not on the schedule to the code, but we want to make sure it was readily accessible on a fee schedule as well. That was Abandoned Properties. Kelly sent that to you this afternoon with the Abandoned Property requests in the Miscellaneous Schedule. We want to add those to the fee schedule. Under the Planning/Zoning Fee Schedule, there was a request for increases that was approved by the board for the Area Variance Escrow, Use Variance Escrow and Zoning amendments was added.

Deputy Mayor Moore: There is one thing that we do need to change under that. Under the Fire and Safety Inspection fees, we did vote during budget session that we were going to include charging a fee for single family rentals. And the way this reads currently, it says \$65 per residential/commercial unit excludes owner occupied and single family home rentals. We just need to change that around so that it says \$65 per residential/commercial unit, including single family home rentals excluding owner occupied.

Manager Revella: There were 2 more additions; one was the fees for summer camp was slightly adjusted. You can note those on that page. Then there was an addition on the Public Works fee schedule of a miscellaneous section. We found that there were a couple instances where people were having certain things done and we didn't have a bill schedule for it.

Trustee Ramos made a motion to approve 2020-2021 Fee Schedule. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Payment of the Audited Bills

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

Correspondence

Trustee Thompson: I had email correspondence from Mary Ellen Matisse regarding the Comprehensive Plan and Walden putting some type of documentation together to discuss what we would like looked at when they do their walkthrough of the Town. She referenced our wells. I also had correspondence from Patricia Henigan about the Orange County Preservation Act for farm lands and Open Space, which I forwarded on to John. They're trying to get a resolution in place for that from the Town in the three Villages. Also had correspondence from Carolyn Kassada regarding the Heat Smart campaign. They're trying to do a kick off with the Town and Maybrook and Walden. If they can get Montgomery included, to get people signed on for the free energy audits through NYSERTA.

Deputy Mayor Moore: I received the same e-mail from Mary Ellen regarding the Montgomery Comprehensive Planning Committee. As a member at large of that committee, I did take some of those concerns to the Chair of that committee and will report back to this board anything that needs to be.

Trustee Ramos: I received a thank you note from Mr. Christian Scott, who lives on 2nd Street. Our Village Clerk typed up a very nice letter. He's a high school senior. We're having issues with our senior graduation. It was a very touching note from Christian Scott and is sending us a thank you note on behalf of the Board and the Mayor and looks forward to seeing us when we can get together again.

Mayor Taylor: I received an e-mail as well regarding the same issue that everyone else discussed.

Miscellaneous Comments from the Board of Trustees

Trustee Svarczkopf: I talked to John earlier today about getting the reappointment of the Treasurer and Clerk on the next meeting. It was done 2 years ago; we need to get that done this year.

Trustee Thompson: While you're talking about reappointments, are we also due to reappoint our Village Historian?

Mayor Taylor: We generally do that during the re-org meeting and we haven't had a re-org, because we didn't have an election.

Trustee Thompson: Understood. Thank you.

Deputy Mayor Moore: When I was reviewing the fee schedule today and called the Village Manager regarding some things that I thought were missing, I was looking for, if anybody remembers, we had conversations back in February and March of 2019 regarding charging a fee that's a little bit larger than the snow removal fee of sidewalks for having us to go and remove the snow from crosswalks. Went back and re-read the minutes today. We had left it as John was going to determine an exact amount that it costs us so that we can charge the appropriate fee so that we're not fining, we're just charging a fee. I would just like to revisit that so that we can determine that appropriate amount and get that added to the fee schedule when it's appropriate.

Trustee Ramos: I would like to take this moment, I don't know if our Village Clerk received any notification from General Code. It's the Municipal Clerk's Honor Roll. I would like to commend Marisa for being acknowledged by this Nationwide program. It's called the Municipal Clerk's Honor Roll. Obviously, Marisa Kraus was named for the Village of Walden. Congratulations and we thank you for everything you do.

Executive Session - Personal history of a particular employee

Deputy Mayor Moore made a motion to enter executive session to discuss personal history of a particular employee, 105F, CSEA Negotiation. Seconded by Trustee Sebring. All ayes.

Reconvene

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

Trustee Kraus made a motion to extend Village Manager's contract for 2 years. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Svarczkopf: The emails that you sent out about the reopening. The last one said that the only thing we're really missing is the contact tracing. Is there anything that we can do to help that along or is that just something we're waiting on?

Manager Revella: Get people to sign up. That's the only thing that we're waiting for. That's what the Governor wants. He may change his mind later, but that's what we're told again today.

Trustee Thompson: Contact Tracer is a data collector.

Attorney Donovan: Do you have a contact that may be able to tell who made an application to be a Contact Tracer but hasn't got a response? A young man that I know that graduated from college Saturday applied two weeks ago got a response asking where he lives and he really doesn't want the job but needs a job. He will do this, but he's waiting for somebody to get back in touch with him.

Manager Revella: I don't know. That's the information we got from the county. I would talk to Dr. Goldman, if you want to try and get some information, because she really has to get those things going if we want to get past the criteria as well.

Mayor Taylor: What do those people do?

Trustee Svarczkopf: My understanding is when we have a confirmed case, they go and talk to that person to try to figure out who they've come in contact with in the last two weeks. Then they notify those people that they could have been exposed to the virus and figure out who they have been in contact as well so they could try to stop the spread.

Trustee Thompson: They recommend that those people then get tested. It's just like any other infectious disease, how they collect the data through the health department.

Mayor Taylor: You're talking about volunteers. They're actually civilians that don't work for the Health Department.

Trustee Thompson: There's a process that you have to go through to get that job and the salary is

about \$50,000 a year.

Attorney Donovan: There's an application and a test.

Mayor Taylor: Who pays for these, our County or NYS?

Manager Revella: The Federal funds that came through the CARE's Act. It's a trickle down.

Mayor Taylor: What's the criteria? Are a certain number of these people from a certain area? How are they deciding who gets to be a Contact Tracer?

Manager Revella: They have to have a certain number per county. I'm not sure how they decide who does it, who doesn't. But you have to have a certain number of them in order to pass the criteria.

Deputy Mayor Moore: We're challenged to reach the benchmarks by region, not by county, but the number of Contact Tracers you need to have is based on the number of population in your county. If 4 of the counties have enough contact tracers, we still don't reach the benchmark because we have to have that.

Manager Revella: We could, because you could split the region up like he's done in other places in the state. He changes the rules as they come up.

Trustee Thompson: If I read it properly, you might not necessarily be the Contact Tracer where you live.

Manager Revella: That's correct. You go where you're needed.

Trustee Thompson: But it's all done via computer and telephone. I think very few actual times, you have to physically appear somewhere. Right?

Manager Revella: Right. That's what we're told. And I would imagine they wouldn't want them to physically appear and be exposed.

Mayor Taylor: Then the Contact Tracer would then know the identity of someone who is positive for COVID-19. What obligation does that person who tests positive for COVID-19 have to even entertain any questions or provide any information?

Manager Revella: They can't be forced unless court ordered.

Trustee Svarczkopf: I think the reason it was brought up was because we can't open until those criteria are met, correct?

Manager Revella: That's correct.

Mayor Taylor: How long is this application process?

Manager Revella: Dave said he had somebody apply over two weeks ago and still hasn't gotten through.

Mayor Taylor: Who is reviewing the applications? The county?

Manager Revella: I don't know.

Attorney Donovan: It was the state application.

Trustee Thompson: Everything I found is you have to go through the NYS website.

Manager Revella: I'm not sure who is reviewing on there.

Attorney Donovan: I could just say by my son's example, he applied about two weeks ago. About a week ago he got a response asking what county he lived in. He hasn't heard back. He has a friend who did the same thing and that person's already gone through the test and has been hired. I don't know what region though.

Mayor Taylor: Also, if you're not that eager to see your state reopen for whatever reason. You send this stuff in to the state and they can deny people and say we don't have enough. Can't reopen. I could see that being an issue.

Manager Revella: I had one request which I would not respond to without talking to you first. Mr. Bond's daughter is being commissioned and wants to know if they could have the commission in the assembly room because it's easier to space out. It would be her, her parents and the officer commissioning her, I think. I would not say yes or no without talking to you first.

Trustee Thompson: When do they want to do this?

Manager Revella: Thursday.

Trustee Thompson: We can't do it like at an open setting, like down at the bandstand or down at the Grove under one of the pavilions.

Manager Revella: I'll ask. That was a request. I didn't have a response until talking to the board. I said it's not likely, but I'll ask.

Mayor Taylor: Then the whole room has to be re sanitized, is that what you're saying?

Manager Revella: Yes.

Trustee Thompson: That's why I'm kind of wondering if we could do it at one of our outdoor venues.

Manager Revella: Agreed.

Trustee Ramos: Like the monument. Obviously, it's a military thing. Why can't we do it at the monument?

Trustee Thompson: In case it rains. I was thinking in an area where there is a cover. The monument would be lovely. But if we have a crummy weather day, that's kind of a problem.

Mayor Taylor: Can't we give permission for both a monument if it's nice weather and then just give them the backup of a pavilion, if the weather isn't employment.

Manager Revella: It's fine with me. The outdoors is easy.

Mayor Taylor: Just let them know that there would be an expense, because no one's allowed in the room and now people are in the room and we would have to re-sanitize it.

Manager Revella: It's perfect.

Deputy Mayor Moore: Agreed. I feel that if we let them inside the building, then we are opening it up to saying that we closed it to everybody else. But if it's outside, technically the parks are open and as long as they're practicing social distancing, we have no say in that.

Trustee Svarczkopf: It's going to be 72 and sunny on Thursday.

Trustee Ramos: Do you know what time they anticipate that?

Manager Revella: No, I'll get that for you.

Trustee Ramos: I'm reading for the school kids at the monument at 10 o'clock on Thursday. It's online so it'll just be me and somebody holding a camera or telephone.

Mayor Taylor: Do we know what Valley Central plans for graduation yet?

Manager Revella: They do not have one at all.

Trustee Ramos: They are still contemplating and they're definitely engaged. I don't know what Newburgh School District is doing, but this is a tough task for them and a lot of input has been given from the parents and kids. So, I know they're definitely working hard.

Manager Revella: As of right now there's no set graduation ceremony.

Deputy Mayor Moore: Did we ever get a response to any of the storm money from when the tornado came through?

Manager Revella: They never approved us for FEMA funding. The county was not approved.

Deputy Mayor Moore: Okay, thank you.

Trustee Thompson: Did we hear anything about the grant we applied for the electric charging station?

Manager Revella: No, we haven't heard yes or no yet.

Trustee Thompson: What are your feelings on signing on for that resolution?

Manager Revella: I have no objection to it. I thought it was something that we had discussed in the

past and the board seemed to be in favor of.

Trustee Thompson: Do we have to do a formal resolution?

Manager Revella: Yes, for the next meeting, June 2nd.

ADJOURNED.

**Village of Walden Board of Trustees
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Motions & Resolutions**

Public Hearing - CDBG

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Trustee Sebring made a motion to close Public Hearing – CDBG. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

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Resolution 20-19-20 – Levying Village Taxes

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2020-2021 Fee Schedule

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