

**Village of Walden
Board of Trustees Regular Meeting
June 2, 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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Village Manager's Report

Manager Revella: Dean was on vacation for a week and just received his updates today. We've had the briefings for the COVID situation. Now we're having briefings on the protests as well. We've gone over some personal matters, CSEA, couple litigations, one that settled, which I'll have to brief you on after the meeting in exec. Otherwise, it has been okay. Tax bills were reviewed and sent out. People have been receiving them already. I got mine. Water bills as well. In meetings with the Rec Coordinator, we went through the Riverfront Park and the project at the Community Center. Went through potential programs for the summer. He's trying to get at least one program online a week for the public to review. Could be a magician, could be dance classes. Just to do something. As you know, we received word today from the Governor that it's possible to have day camps. The rules aren't even set up yet. But what they told us potentially are too stringent for us to make it feasible for this year. A lot of our staffing that would have been returning had made decisions to get other jobs since we were up in the air about what was going on. The DOH has not issued us a permit yet either. So, we're not even permitted yet. They also have not given guidelines yet on how we would operate if we were to open. It's difficult. I don't think any camps are open this summer in the County right now. Regarding DPW, he's putting in a new sewer line extension at Public Works in the back of the building to the other parts of the facility. Went over the generator installation. The bid should be out this week. Went over issues with electrical panel at the sewer plant. Had to get some emergency repairs down there at the sewer plant. One of the panels was wiped out. Went through flow monitoring. We have monitors being put in for the I & I monitoring for DEC. Went over bids for tree cutting. We actually had some trees taken down for different projects that were dangerous. Went over the Waterfront Park with a contractor and they started to do more work at that Waterfront Park to prepare it for the contractors to come in. Went through various dig permits and

patching. Building Inspector, we discussed a few different lawn cutting sessions so far. Have another 15 coming up, unfortunately. Went over the abandoned property list with the Treasurer. That all got taken care of for the June 1st billing over the fee schedule that was adopted by the board. Applications so far for Code Enforcement have come in and we are reviewing. Just for the board's purposes, he wanted to let you know that since last report, 7 building permits, 4 COs, 1 closed issued and 15 more properties noticed for grass. He's also attended a couple of different seminars and classes that are required, including one today. Regarding PD, gone over staffing, some 207c issues. Went through Chief transition concerns. Interviewed potential candidates and potential questions for candidates' responses. Went over software and some COVID updates and safety. Also discussed traffic control details and when they might be implemented again safely. Went through the Bi-Monthly calendar with the Clerk. Went over some personnel matters, minutes, payroll, items for posting on the website and Facebook and agenda items for the other board meetings that have occurred since last meeting. Planning Board and Zoning Board. I've been having a few different conversations with our insurance agent and with our Treasurer regarding insurance costs to make sure that we're not getting overbilled. We audited that as well to make sure the numbers match. Went through bank recs, journal entries as always. Looking at the part time candidates for office help and went through the implications of the CSEA contract financially as well. Had a few different meetings with different Trustees; one with Trustee Ramos, where we interviewed some potential Chief candidates. I've also gone over some resident concerns regarding re-levies and potential charges that they wanted addressed.

Trustee Thompson: Has anything happened with Edmunds? It's my understanding that training is going to be done online for some of the departments. Have we done anything with Edmunds or that's all on hold?

Manager Revella: That was on hold. We reached out to them again as the phase one was approaching to see what they could do. They're trying to coordinate that with us because all of their scheduling for the past 3 months has been backed up.

Mayor Taylor: I'm reading Fred Perna's report. When we have issues, especially with tenants in a building where they're having sewer problems because of excessive use of flushable wipes. Do we inform the owner of the building, the landlord, that there is an issue so they can let their tenants know that they're really not supposed to be used in the Village?

Manager Revella: Yes.

Mayor Taylor: If they have to repeat going to that address, then there's an issue with compliance. What happens then?

Manager Revella: We haven't had any real charges from it, so the real issue is they're having backups. They want to see if it's the mains backing up. So, we go and check the main and show that it's flowing and it's not ours and the lateral has to be addressed. They have to contact a plumber to fix that. We don't touch that part of it. If they're causing issues with our main, whether they're putting things down that aren't supposed to be there and we can show it. Then we would talk about addressing that with that property. But we haven't had that issue so far. Thankfully.

Mayor Taylor: There's still a cost and time involved when the employees have to go out and constantly check a main. I just wondered if there was any way to recoup those costs. If they've been informed that it's an issue and for some reason there's noncompliance.

Manager Revella: When it's a repeater, we asked them to show when the plumber was there and what the plumber found before we go out again. We won't go back until they show that proof. It's a waste of our time.

Mayor Taylor: The storm line, a white drain pipe was going across the inside of our pipe. Where was that coming from?

Manager Revella: I don't know. We think it's one of the sump pumps from one of the yards there on Linden. We went over and walked through without dye testing the actual properties, which we don't really have permission to go in their houses to find out which one it is. It's hard to tell. What we would do to resolve that is to cut that pipe out of the middle and just have it attached like a T instead of going through the pipe.

Mayor Taylor: Looks like that's what they did. The fence contractor that drilled through a drainage line. Whose fence contractor was it?

Manager Revella: Wasn't ours.

Approval of Minutes May 19, 2020

Deputy Mayor Moore made a motion to approve May 19, 2020 Minutes. Seconded by Trustee Ramos. All ayes. Motion carried.

Action Items:

Reappoint Treasurer and Clerk

Trustee Sebring made a motion to reappoint Village Treasurer, Kelly A. Kelly for a term ending April 2022. Seconded by Trustee Kraus. All ayes. Motion carried.

Trustee Ramos made a motion to reappoint Village Clerk, Marisa Kraus for a term ending April 2022. Seconded by Trustee Svarczkopf. All ayes. Motion carried.

Bond Resolution 21-19-20

Manager Revella: This is for the projects that were approved on the Capital Project list in the budget. It's really to make sure we have the funding in place to appropriate for the projects that were approved, including covering the grant costs for reimbursement. As the grant reimburses, obviously, we're not going to bond for that amount, but we have to have the approval amount to be able to cover it just in case for reimbursement. \$970,000.

Trustee Ramos made a motion to approve Bond Resolution 21-19-20. Seconded by Trustee Thompson. All ayes. Motion carried.

Zoning Code

Manager Revella: This is really just going to be a referral. It's the same code amendment that we looked at in 2017.

Attorney Donovan: This code amendment deals with over 55 senior housing. It reduces the age of senior housing from 60 to 55. It provides for additional density in exchange for an increase in amenities. The local law was prepared a couple of years back. We have a site specific project that's now in front of the Planning Board. The Planning Board has authorized the preparation of the

Negative Declaration, including the SEQRA process. The kind of the format that was established a couple years ago, is that when the Planning Board reaches this stage, this would come back on the Village Board's radar because ultimately you need to approve a Zone change, adopt a local law. What needs to happen now is, we need to refer this local law to the Orange County Department of Planning. They need to report before we can take action. We should also we refer this to our Planning Board. They never issued a report and their time to do so has expired. It's my recommendation to refer back to them, so we do have a report for the record from the Planning Board before we schedule our public hearing and take any action. 2 referrals, 1 to the Orange County Department of Planning and 1 to the Village Planning Board.

Trustee Svarczkopf: I'm only abstaining because I just received this and haven't had a chance to read it.

Mayor Taylor: I know the age was 60, many moons ago, my understanding was age 55 was considered or called a garden apartment. It wasn't considered senior housing because it was 55.

Attorney Donovan: That may have to do with some kind of financing that some project may have obtained. But for Village of Walden purposes and for our zoning code purposes, we can define it as 55 or 60.

Mayor Taylor: If you're calling it a senior apartment, you assume that it's going to be senior citizens that live there. Are children still allowed to live in that housing?

Attorney Donovan: Let's look at the definition, "Senior citizen dwelling unit is defined as a dwelling unit occupied exclusively by 1 or more person who is at least 55 years of age." So, they exclusively would prohibit those under 55.

Trustee Ramos made a motion to refer code to Orange County Department of Planning and Village of Walden Planning Board. Seconded by Deputy Mayor Moore. 6 ayes. 1 abstention. Motion carried.

Energy Resolution

Manager Revella: For clarification, we thought it was to be a Resolution, it's not. It's really a Letter of Support.

Attorney Donovan: Just to make sure I'm clear on this, I believe that this is a Letter of Support for the legislation that's before the Assembly and the Senate. I was unclear with the e-mails back and forth with the Manager and there were 2 different things that seem to be going on. Is this to the support the legislation to allow us to have an open space preservation board?

Trustee Thompson: No. If my understanding is correct, that's a different issue.

Manager Revella: Yes, that's a separate issue. This is Heat smart. It's one where they give free energy audits to residents in the community. The Town of Montgomery and the Village of Walden, Village of Montgomery and Village of Maybrook. The TOMStrong Green Team is doing a big exposé on it tomorrow night as well.

Attorney Donovan: Is there a formal resolution, because I didn't find one.

Manager Revella: No. Just a Letter of Support.

Mayor Taylor: Who's doing these audits?

Trustee Thompson: It's done in conjunction with Heat Smart Orange and its part of a program with NYSERDA. They're free to any Village resident who would like to participate. Then once the audit is complete, you'll receive information on what you can do to improve your energy efficiency, your costs. There is funding available for some of those programs and rebate money available if people choose to participate. It's voluntary. There's nothing mandatory here at all.

Mayor Taylor: How do they do an energy audit? Do they have to come into people's homes?

Trustee Thompson: Yes. Any resident that's interested, will get contact information and they set that up themselves and the NYSERDA has its own list of approved contractors that they use. For the audit, you have to use their recommended people. But if you decide to engage in any kind of a home improvement, you can use your own contractor. They will give you recommendations of people they've worked with before and that have fit all their criteria to be on the list. But you do not have to use them. You can choose whomever you like.

Mayor Taylor: They're still actively doing this despite the COVID-19 issues?

Trustee Thompson: I don't know when they're officially going to come into the homes. But that information will all be given out on the official live kick off tomorrow evening at 7:00 p.m. Supervisor Maher in conjunction with Caroline Casado, who runs the program. They're doing a live streaming for anyone who would like to tune in and listen, get more information and there'll be more information coming that I asked her to please forward to John Revella so we can share it with our Village residents. I asked John if he could put a little something on our Village Facebook page to direct people where they could go to get additional information about the program.

Mayor Taylor: These are these are contractors, and I'm assuming they do the work, whatever is necessary for you to become energy efficient. Is that correct?

Trustee Thompson: Whatever deficiencies or suggestions are found in your home, it's then your decision. If you want to improve upon anything, participate in anything. They're happy to help you with securing a contractor or you can choose whomever you like.

Deputy Mayor Moore If you remember, this is very similar to the program that RDAC did through weatherization and Green Jobs, Green New York. It's the same concept that anybody that's coming in to do the test in the home is BPI certified. So, after they go through and test your energy, they have to give you what they call a blueprint of your home to let you know where you're losing energy and suggested upgrades and the return on investment savings. Then that's where you're able to go through. The BPI contractors, most of the time are not the same ones that would be coming in and doing the work anyway. They just make the recommendation and create the blueprints. Then there's other BPI certified contractors that can do it or your other contractor that has the proper insurances can come in and do it based off of that blueprint.

Trustee Thompson made a motion to authorize the Manager to write on behalf of the Village of Walden, a letter supporting this project and authorize us to put the info on the website and Facebook page. Seconded by Deputy Mayor Moore. 6 ayes. 1 opposed. Motion carried.

Payment of the Audited Bills

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

Correspondence

Trustee Svarczkopf: Received a couple of e-mails about the Flag Day ceremony and one e-mail about the zoning code from a previous board members.

Trustee Thompson: I received the same two emails that Dan just referenced. I also received some photographs and some text messages inquiring about the condition of a home on Bergen. The other question was about what was the follow through with the property on Bank Street that was supposed to have some type of an inspection.

Deputy Mayor Moore I received the same emails regarding Flag Day ceremony and zoning changes. I also received correspondence again from a resident regarding the conversation on chickens. I responded that I'm still working on pulling up that old information. I received numerous pictures of the overflowing clothing bins at numerous locations within the Village. Normally in the past, when this happens, we refer it to the Building Inspector and he calls. He was on vacation and just came back. I did not bombard him, but I will be reaching out to him tomorrow.

Manager Revella: He did cite them.

Mayor Taylor: I can tell you the one by the former Medicine Shoppe, is now empty there.

Trustee Thompson: These are all again from the same company, correct?

Manager Revella: Yes.

Trustee Thompson: Why do we keep entertaining this? Why are we just not getting these eyesores out of our Village? I've had enough. I'd like to see them removed.

Manager Revella: That's a Board decision. It's in the local law right now.

Trustee Svarczkopf: Especially, because it seems like they're waiting for us to call them, to let them know that they're full. They came out and emptied it after we called. It's their job to do that, not wait for us to call and complain that it's ugly. And if they're not going to do that, then I'm with Lynn.

Trustee Thompson: I'd like to know how everyone on the Board feels about them. It's a never ending issue with these things. We had one removed. The same company is still doing this.

Trustee Kraus: Let's get rid of them and have everybody bring the clothes to Salvation Army.

Trustee Svarczkopf: The Village is doing a lot of great work on Ulster Avenue. Down by the river, I went down there the day, it looks great. With all of that, having eyesores that we can't even manage, we can't have someone go down an empty, I think it's rude to everyone else doing such a good job trying to clean up.

Mayor Taylor: If the Board feels that these are not being maintained. You'd think after the complaint and after the removal of the one by the Custard Stand they might have gotten the gist that they need to be more vigilant about keeping them maintained. If it's the Board's choice, we can have the Manager write them a letter and tell them their lack of maintenance. They've become an eyesore and we want them removed from the Village.

Deputy Mayor Moore Can we do it that way just by sending them a letter or since it's in our code, do we have to do something more official?

Attorney Donovan: Looking at the Village Code, it does appear that there are some due process elements that clothing bin operators entitled to steps that you would have to take, notice them, give an opportunity to remedy, kind of like property maintenance code. We do have a penalty provision that would authorize the removal. But there's a process to go through first. If the Board wants to do that, we can put our next agenda and I can have a better outline of what that process is.

Mayor Taylor: I'm putting it on the agenda.

Trustee Ramos: I, too, received the Flag Day cancelation and the other memo from a Citizen regarding the zoning.

Trustee Sebring: I received the same e-mail on both for Flag Day and the memo on the elevators for the senior housing.

Mayor Taylor: I received the emails from Flag Day and the zoning issue. I also received two emails and two phone calls about the chicken issue. These particular people were appalled that we were even thinking about it. One, in fact, pointed out that for years, Walden was seen as a certain kind of community. A lot of negative comments about our community and they feel that this would impact home values, be an eyesore. Would people want to move next to a house with poultry being housed there? They felt that this is more something that should be out in the Town where lots are much bigger. I did tell them that the last discussion we had, the lots had to be a certain size. They let me know that people will circumvent those issues and wait to be caught. There's been other issues in the Village with things that are not allowed that have been done. The only thing I do want to add is that we hear so much about how overworked and how short of time our Building Department is. We still don't have a Code Enforcement Officer. Now we would be adding another thing that that department would have to handle as far as enforcement. The other issue that one of the emails pointed out to me was that we've had a lot of sightings of what would be considered predators, bears, fox in the Village and they don't feel that we should have anything like that in the Village that would attract more predators.

Miscellaneous Comments from the Board of Trustees

Trustee Thompson: I would like to let my colleagues on the Board know that I heard from Supervisor Maher and I've been appointed to this CAC for the Town, which I had requested as part of the ongoing work with the Climate Smart initiative. I'm excited about that because I think it will help us to keep moving forward and checking off the boxes with the Climate Smart program. It will also be beneficial to provide some additional information with the Comprehensive Plan that they're going to be working on, as far as it pertains to the Village of Walden.

Trustee Ramos: Just to reiterate, the ballots were mailed early this morning for the VC school

budget vote. It was unfortunate that the company that they contracted kind of fell on way. 50 other school districts within the state had the same problem. The district worked feverishly for the past week and a half to try to facilitate the generation of new ballots and from the paperwork that they had. Hopefully by Friday, we'll have them all in our possessions. There'll be lockboxes at each school district. At 5 o'clock, they will close and the ballots have to be in by 5 on Tuesday, June 9th. There will be somebody there on Saturday at the schools. Sunday they're trying to get personnel. They'll be there Monday and Tuesday until 5. They'll start on Friday and as long as ballots are still filtering into the district, they'll be open.

Trustee Svarczkopf: And you go to any school building?

Trustee Ramos: Yes.

Mayor Taylor: They can't be mailed?

Trustee Ramos: They can be mailed. But rest assured, they're going to go to Albany first and come back down. It's not likely that they'll be here locally by the 9th to be counted. The ballots have to be in on Tuesday by 5 for it to be a valid ballot.

Mayor Taylor: I really have to say that I find that egregious. A lot of senior citizens within the Valley Central School District that might not be mobile to be able to get to a school building to cast their ballots. May not have anybody that can carry them there. Not the problem of the taxpayers of the Valley Central School District that they had an issue with these ballots being printed. But, everybody talks about let's mail, let's do this, let's do that, when it comes to voting. I think that may cause a hardship if you even get them when you're supposed to get them.

Trustee Svarczkopf: I agree, I think it should be postmarked by that day and it should be fine as long as they're postmarked.

Mayor Taylor: We're being told if they're not there by the 9th, they're not going to get counted.

Trustee Ramos: That was the Governor's initiative. Apparently, he decides how to play by the rules and the districts are all handcuffed with his rendition of how we do things. The school district has opened up. If any senior needs to be picked up or ballots need to be picked up, there'll be personnel that will run around and get them. I've asked Mr. Xanthis if he needs any help from myself. I'd be happy to go wherever and pick up ballot. If anybody else calls, everybody would jump in.

Mayor Taylor: How well was that advertised? Because I haven't seen anything that says anybody would come. Anybody that's done an absentee ballot before would assume that this can be mailed. I don't know if people understand that it can't be mailed because there's this deadline.

Manager Revella: Was there some kind of press release from the school district that speaks to that?

Trustee Ramos: It was brought up at last night's meeting. I've been trying to surf and see if I can get on their site right now. I will make sure that there'll be a Valley Central School District note to all receivers that there's going to be those services or any aid that they can come to assist.

Manager Revella: Just want to make sure that we get that on our website and Facebook page for our residents.

Mayor Taylor: The other issue is custody. You're taking a ballot, you're handing it to someone they may or may not know. It's different when you can take it by yourself, put it in the box and you know it's gone directly from your hand into that box. People are going to pick them up at homes, they may not know the person. I don't know why the Governor would set it up this way, but I find a real issue with custody of ballots. Especially something as important as a vote for a school budget.

Trustee Thompson: I agree too.

Trustee Sebring: I received an email today from Fred that the dump truck that we had purchased is in and it's going over to Amthor's to have the body put on whenever they get the body, I believe. The truck is in.

Executive Session - Personal history of a particular employee, potential litigation, CSEA

Deputy Mayor Moore made a motion to enter executive session to discuss personal history of a particular employee, potential litigation, CSEA. Seconded by Trustee Ramos. 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.

Village of Walden Board of Trustees
Regular Meeting
June 2, 2020
Motions & Resolutions

Approval of Minutes May 19, 2020

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Reappoint Treasurer and Clerk

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Bond Resolution 21-19-20

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Zoning Code

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