

**Village of Walden
Board of Trustees Regular Meeting
June 16, 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: We will likely be allowed to have in-person meetings for our next meeting, which is July 7th. I didn't see anything from the Governor saying it's been extended for Zoom meetings past the end of June. Phase three, they're trying to get by Friday. But it's guaranteed to be at least by the 23rd of June. They're trying to petition to have it done before Father's Day. We've been having the COVID updates daily but will switch to 2x a week soon. Our region has been doing very well, thankfully, and seems to be keeping the trend. I did get updates today, which I sent to everyone regarding sales tax revenue for the year. Better projections going forward. The things that we did to try and help stem that tide of lost revenue, I think will be sufficient, we hope to make up for that. Had a few different meetings within our Village Engineer, DPW Superintendent and the Rec Coordinator. If anyone hasn't been down at the end of Pine Street, you should check it out to see the progress there. We also met at Olley Park for the community center. We're working on the schematics for that so that can go out to bid. Went over a few things with the Village Attorney. We should have a resolution, in Exec tonight, for one matter, which he'll brief you on later. Went over some shared services with the Town Supervisor and some other municipalities. Hopefully, we have some resolution on a couple of things that will help save money for all of our municipalities. Went over to the OCTC items, which projects are still moving forward on the list. I'm likely going to try to submit a new project for the Village in the coming year for the tip and I'll talk to the board about it more, hopefully for Orange Avenue to do sidewalks and curbs on that corridor. That's really the last main corridor of the Village that hasn't been touched at all. Been going through different things with the Rec Coordinator, including Music in the Grove, which is confirmed. We have all the bands confirmed. We don't have the ability to do indoors because of social distancing. So, if it rains, they'll be rained out. Otherwise, we'll have them all. Same location, same amenities. Have been

going through the mowing and beautification. We had another meeting with one of the Trustees about beautification as well and different flower types, plant types that may help prolong their life so that we're not doing that every year. DPW Super's been reviewing and going through and getting prepared for capital projects. Went through different signs, updating all the signs around the Village as they get faded or outdated. Maintaining the roads. Today, they actually did the work, but they had prepared to do the work on the Ridge Rd sewer line. There was a collapse. So, they took about a length and a half section and almost 30 feet and replace sewer main, in-house, which saved us a lot of money. They finished up most of the tree removal and cleanup at the Water Front Park. Super's been following up on the dig permits and making sure they're patching behind the digs, including NYSEG's. Ulster Avenue is almost done. They probably have another week of work there on that block. Then it's just some cleanup. We did get some bids on railings. We're working on that now to try and get that covered. And the radio sound for our communication system. The Building Inspector has been working on a few different rehab loans. I actually went over them with the Treasurer today. Make sure everything's up to date. Dave's been helping out, making sure paperwork's up. Went over the software upgrade with the Building Inspector and the Treasurer as well in property maintenance issues and follow up on those. Chief's been going over some staffing things, as well as the protests that occurred on Sunday. We had done some meetings for preparation. Went well. Went over some things with Chief's transition and with the new 50A legislation, what it means for us and documents and what it means for the Clerk and when she gets FOIL requests as well. He is putting out more information on traffic and patrol detail, as well as the Stop DWI, which we renewed with the County. The Clerk has done her bulk ordering for all the departments. Has been updating Facebook and the website as she can and working on items with myself. Treasurer and I have been going through bank recs and journal entries and revenue accounts to make sure we have everything moving for the new year and reviewing the part time candidates, which will continue again tonight for the part time office position. Been going over the police chief position with Trustee Ramos. Received the list from the County and we're looking through our options. Went over a few things and evaluations and also went over the CAC things with Trustee Thompson as well. Going over some water quality issues. Went over the meeting and some events with the Mayor.

Trustee Svarczkopf: Ulster Ave, is that getting paved at the end?

Manager Revella: The road itself won't be up to us. It's up to the state. It's not part of the project. We were told they may do an overlay when they're done.

Trustee Svarczkopf: Railings where?

Manager Revella: On the stairs.

Deputy Mayor Moore: Are we still accepting applications for both the part time Administrative Assistant and full time Code Enforcement Officer?

Treasurer Kelly: The part timer was due Friday the 5th. The Code Enforcement was due the 12th.

Manager Revella: We never reject applications. If they come in, they come in and we hold them.

Deputy Mayor Moore: Do we have an update on when the new police car will be active in the fleet?

Manager Revella: No, they're doing some computer work on the front for the schematics, but everything else is done. The back is on, the rack is done. It can in service without the lettering. So as soon as that's ready, it'll be in service.

Approval of Minutes June 2, 2020

Trustee Ramos made a motion to approve June 2, 2020 Minutes. Seconded by Trustee Thompson. All ayes. Motion carried.

Action Items:

County Open Space Initiative

Manager Revella: It's similar to what Warwick does with the transfer tax on sales. They want to be able to have it for anybody in the county to be able to do that. Right now, they're not able to. The state legislature has to approve that and they have not. Chester tried and they were denied. This is a letter of support, really a resolution in support of that legislation.

Attorney Donovan: That is correct. This kind of mirrors with some other communities have done. I just read one municipality is renewed. But the other ones, Chester, specifically was turned down. This is a resolution of support of the whole request that's been submitted by the county legislature to the state.

Trustee Ramos: We are talking about the Open Space Initiative. The last plan that was passed by the legislature was written July in 2004. Are they anticipating reopening that soon?

Attorney Donovan: I'm not certain. There's open space plan versus a purchase of development rights to revert to preserve open space. I think they're 2 different things.

Manager Revella: This would be a transfer tax that would be used in order to preserve open space. They used the funds to preserve open space from that revenue.

Deputy Mayor Moore: For clarification, we're talking about Resolution 2-20-21. Which would show support for New York State Assembly bill number A7699 and Senate bill number S6224.

Trustee Svarczkopf: The resolution is really short and does it tie us into anything?

Attorney Donovan: Relative to other communities that I received copies of their resolutions. This is actually long. So, it doesn't really tie us into anything. In order to have your open space, like if you buy property in the Town of Warwick, the buyer pays an extra transfer tax that goes into a fund to purchase vacant land on farms and keep them forever green. This resolution is simply in support of the county legislature overall request to the state, which is embodied in two different bills, one in the Assembly and one in the Senate, that would allow local municipalities to adopt their transfer tax to preserve open space. It really doesn't bind us in anything, but it would allow the legislation to get passed in the state, which would then allow us, if we were so inclined, to adopt local legislation.

Trustee Svarczkopf: And that legislation would essentially allow us to charge or transfer tax that goes into a fund so that we could purchase land if in the future if we wanted to?

Attorney Donovan: That is correct.

Manager Revella: To preserve open space.

Trustee Svarczkopf: Could that be used for wells?

Attorney Donovan: Generally, not. It's just pretty specific to preserve open space. Basically, you had a 100 acre farm and you could develop it into 100 homes. What Warwick does is they purchased the development rights, so you can no longer develop the land, but you can stay there and continue to farm it.

Trustee Ramos made a motion to approve Resolution 2-20-21 Letter of Support. Seconded by Trustee Thompson. All ayes. Motion carried.

Donation Boxes - Discussion

Manager Revella: We have a donation box local law. There's been some incidents, especially recently with the lack of candor by the owners to pick up the items and they've been overflowing at times. I don't know if it's because someone dumped too much stuff all at once or over time and it just filled up. But either way, the people that are supposed to be emptying it have not been doing so in a timely manner and causing a property maintenance issue for the Village.

Trustee Thompson: Most of the boxes are gone. Did they just voluntarily remove them?

Manager Revella: Yes.

Trustee Thompson: I knew we had asked them to remove the one by the ice cream parlor.

Manager Revella: They did not.

Trustee Thompson: But the others are gone now.

Manager Revella: We had to move the one by the ice cream parlor and then they got the hint and moved the rest.

Deputy Mayor Moore: Did they pick up the stuff that was left by the one on West Main St?

Trustee Thompson: Yes.

Trustee Svarczkopf: So, temporarily, this problem is gone. But we still have a local law that says they can put them right back if they wanted to. Correct.

Manager Revella: Yes.

Trustee Svarczkopf: That's really what we should be discussing at this point.

Manager Revella: I think that the biggest thing for us, if there's something that we can do maybe to say the lack of maintenance by the owner produces a fine per day, I don't know how much more stringent you can be. But I think that's what the board would like, is something more stringent to hold their feet to the fire.

Attorney Donovan: I'll take another look at our local law, but don't we have some language in there that gives us some authority already?

Manager Revella: We do.

Attorney Donovan: You're looking to tighten that up and perhaps make it a little bit more persuasive for the owners to comply with our ordinance?

Manager Revella: I want to make sure we can cover ourselves too if we do end up having to remove items or the box itself that we're not liable and that we can charge.

Trustee Ramos: Can we discuss with these vendors and give them a specific day where they have to collect and we could use the language in the code to fine them? Apparently, they're leaving them there two weeks, possibly three weeks and maybe have a collection date, every week, come there, get it.

Manager Revella: Everything's on the table right now.

Deputy Mayor Moore: I like that idea of being able to hold their feet to the fire and fine them. However, if we set it to a specific day and they pick it up on a Monday and then somebody comes and fills it up on Monday evening, it will sit there for a whole week. I think when we take a look at this, we should say something about like within 24 hours of calling or something a little bit stricter like that.

Mayor Taylor: Do we have to have them at all in the Village?

Attorney Donovan: No. Roll it back a couple of years, these things were all over the place. Model legislation came out and allowed restrictions. There was a group of people that came up from someplace that complained in the Village of Goshen and said that we couldn't interfere. We enacted our rules anyway. It's a little bit of a balance. So, I'd have to see if we could eliminate them entirely, I'm not sure. We certainly have the ability to regulate them, that's within our police power.

Trustee Thompson: I get that we would want to maybe outright prohibit because they really are a nuisance and an eyesore. But the one by the firehouse is never a problem. And the fire department maintains it. So, if that's a beneficial drop for the fire department, I would hate to see us have to take that one away.

Attorney Donovan: Looking at our code quickly, we do limit them to tax exempt organizations or churches, synagogues, mosques, temples or other religious organization.

Mayor Taylor: The one at the firehouse is out of the mainstream. Not like the ones that are on streets that are used. I think the one by the firehouse really isn't a fair comparison, because it's not on a main drag.

Trustee Thompson: That's what I'm saying. I would hate to have to remove that one, because it's not obtrusive. It's out of the way. And no drivers through the Village are going to know that's there. Village residents might know that it's there. I agree with you. If it's in an inconspicuous spot, it doesn't seem to be as much of a problem.

Trustee Svarczkopf: I don't see the value add for the Village at all. If anything, I just see it as an eyesore for every single person that drives through this Village. I just don't see how it benefits the

Village at all having them there, especially when they can overflow in an instant.

Manager Revella: Some of these not-for-profits, they do get revenue from it. So, to deny the not-for-profit, the revenue would be harsh. There's got to be a balance somewhere.

Trustee Svarczkopf: But to fine a not-for-profit \$250 a day is harsh. I would rather it not be there and then have to fine a not-for-profit. Possibly thousands of dollars for not coming to picking something up for a week.

Mayor Taylor: It's not like this problem just sprung up with COVID. There have been constant complaints about these things that we've been dealing with now probably in a 2 year period that it's really become a major issue. I don't mind having them there if they're going to be maintained. It's not happening. It is an eyesore. If you want to keep the one at the firehouse, then I guess you can live with them or prohibit them. Is there any number that we have to do? If we allow them, can anybody come and put them there? Is it an all or nothing thing?

Deputy Mayor Moore: I'm just wondering if when we tighten up the language and add a fine element, if we could also maybe add something like a three strike rule? It seems that there's one particular company whose boxes are continuously being complained about. That if we have to fine you three times, you have to remove your box and you're not allowed to put another one in the community. Tighten that up to alleviate that problem so that the one down at the firehouse that's maintained by them and/or there's also one at Most Precious Blood School that is always maintained.

Manager Revella: There is a penalty provision in there correct?

Attorney Donovan: That is correct. There's a whole host of items that need to be complied with. I don't know whether we know if the requirement set forth in Section 117-3 are being satisfied or not. There's a whole host of things they're supposed to comply with. We don't have a three strikes rule. I'm inclined to think something like that. Maybe not forever, but maybe for a period of time, six months or a year, you can't go back to the Village. Something along those lines.

Mayor Taylor: I think the issue is that people aren't just dropping clothing off. It's mattresses, tires, broken furniture. They're marked for what they're supposed to be putting there. But that's not what's happening.

Trustee Thompson: My understanding is the Building Inspector would call them and tell them their box is overflowing. Come and get it. He would give them a reasonable amount of time to come and get their stuff. I don't think they ever got fined.

Manager Revella: The one at the ice cream stand when they got cited under the code Dave was referring to and a penalty. That's when they removed rest of them. Within weeks after that.

Trustee Thompson: I think that's the whole key. Once again, enforcement, enforcement, enforcement.

Mayor Taylor: But it's one more job for the Building Dept. We're doing them a favor by letting them put these things within the Village. Another job for the Building Department to have to do. Another place that they have to monitor. They're not being taken care of. Items that don't belong

there are being dropped there. They're an eyesore. Then somebody has to call the Building Department. It's more trouble than it's worth, in my opinion.

Deputy Mayor Moore: Dave, you'll find out for us if we can prohibit them altogether?

Attorney Donovan: That's correct.

Payment of the Audited Bills

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

Correspondence

Trustee Thompson: Actually, this evening, a neighbor brought me a letter. Apparently, all of the people that their property is on the river on Riverview Street, all got certified letters today from Walden Hydro, LLC.

Manager Revella: Yes, I got it.

Trustee Thompson: Several of my neighbors have already come over with the letter in hand with lots of questions. They're very concerned when they read what is going to be going there and they see the words "turbines".

Manager Revella: There are turbines there now. That's how they make hydroelectric power.

Trustee Thompson: Understood. In your opinion, is there any negative impact to these improvements they want to make?

Manager Revella: I think it is an improvement.

Trustee Thompson: The neighbors are looking at it and they're very concerned about the noise.

Manager Revella: The turbine improvements should reduce noise and increase capacity and also reduce loss in power. As the turbines go, they are higher efficiencies. The DEC and the Department of Energy have been looking at those for the last two years and this is likely the last phase. They should submit the questions just to make sure that the owner answers them and they can.

Trustee Thompson: That's what I told them, that there is a process they have to go through after I read it. I seem to remember this was also discussion with the Walkkill River Watershed and Riverkeeper that there were no negative comments from them about this project.

Manager Revella: That's correct. Same project. We just got the information today. They can contact them and ask for a short tour of the plant and they will see the turbines that are in there now.

Trustee Thompson: I will share that with these people and advise them to follow the letter and ask the questions. There's all kinds of contact information on here for them.

Manager Revella: They will be more than happy to help as well. They've been very responsive.

Trustee Ramos: I received an e-mail from a resident of Orchard and West Main Street there. The

stairs, the railing and those wires that seemed to be overhanging. Can we do anything about that?

Manager Revella: The stairs and the railing are on our capital project list this year.

Trustee Ramos: What about the wires that are sitting above there with the tree branch.

Manager Revella: We're taking the tree down and redoing the railing. Hopefully that helps, but we really can't touch those wires.

Trustee Ramos: There's a lot of spaghetti there and it just looks horrible.

Manager Revella: Once we get the tree out, I think they can do something.

Deputy Mayor Moore: I just have correspondence from our resident, Jody Nicoli. In the crisis that our country is in with the opioid epidemic, she would like to do a memorial sign where she will coordinate and put some stuff up for people that have lost their battle to the disease. She has a presentation that she would like to do and if it's the pleasure of the board to hear that she would like to come possibly to the next board meeting and do that presentation on her thoughts, how it would work, how she would maintain it, where she would like to put it.

Mayor Taylor: Is our next meeting live? Are we allowed to have it in the Village Hall?

Deputy Mayor Moore: So far there has been no change in the extension. So, it looks like our next meeting will be in person.

Manager Revella: Unless the Governor puts out another order extending. We'll have to do it in person.

Deputy Mayor Moore: If no one has an objection, I will have her prepped for the next board meeting. And if it gets changed to be in virtual, we can just have it pushed to the next one.

All agreed

Miscellaneous Comments from the Board of Trustees

Trustee Thompson: Since we voted to redefine our Liaison roles, I think we need to keep moving forward and try and figure out who would like to do what or how we're going to proceed. We voted to redefine. I think we need to keep formulating what comes next.

Manager Revella: The committee had done the breakdown of what categories, so maybe that's where you start.

Trustee Thompson: But I think everyone on the board should sort of take a look at those and maybe express what they have an interest in, what they'd like to do. I think it would be helpful if everyone expressed an interest in what role they'd like to play so we can start reaching out to the community and the different organizations, which was what our intent was.

Deputy Mayor Moore: Since we can't reply all to the email that was sent out, I will be happy to be the keeper of that if the board would like to take a look at that grouping of lists again and email me what their interests are and then we can go from there.

Trustee Thompson: I'm more than willing to help you, Faith. We worked on it together from the beginning.

Deputy Mayor Moore: Absolutely. I just figured one email to have it come to and then we as the committee can work on that.

Trustee Sebring: The ones on the list, have you been contacting them to make sure that it would be okay that we would be there at their meetings?

Deputy Mayor Moore: It's not set in stone that that was what each group was going to be anyway. So that was kind of whoever was going to take was going to define it specifically.

Trustee Sebring: Back before the COVID, Bradley Hose wanted to put a mantle up in the auditorium. I will get a hold of Brian Beadle to have him come to the next meeting to give his presentation like he had wanted to do before the COVID.

Manager Revella: It's up to the board. Dean had talked to me about the dimensions to find a location that might fit so he can brief the board on it.

Trustee Ramos: Brian, thank you for representing us on Flag Day. It was really, really touching. I know it was a small gathering and we wish we were all there. But thank you for representing us.

Trustee Sebring: That was an interesting way of doing it. We did what we had to do for it, for that purpose.

Trustee Ramos: It was an awesome job. Thank you.

Deputy Mayor Moore: The Ulster Ave project is looking really good. I've been watching it every day and it's looking good. I'll be happy to see it completely finished.

Executive Session - Personal history of a particular employee, litigation involving a bankruptcy by a Village resident

Trustee Sebring made a motion to enter executive session to discuss personal history of a particular employee, litigation involving a bankruptcy by a Village resident. Seconded by Trustee Thompson. 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 Thompson made a motion to settle Space Bankruptcy claim for \$2,000. Seconded by Trustee Sebring. All ayes. Motion carried.

**Village of Walden Board of Trustees
Regular Meeting
June 16, 2020
Motions & Resolutions**

Approval of Minutes June 2, 2020

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County Open Space Initiative

Trustee Ramos made a motion to approve Resolution 2-20-21 Letter of Support. Seconded by Trustee Thompson. All ayes. Motion carried.

Payment of the Audited Bills

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