

**Village of Walden  
Board of Trustees Regular Meeting  
September 22, 2020**

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

Absent:

Also Present:

|                                   |
|-----------------------------------|
| John Revella, Village Manager     |
| Marisa Kraus, Village Clerk       |
| Kelly A. Kelly, Village Treasurer |

**Mayor Taylor:** First of all, I would like to thank Trustees Kraus and Svarczkopf for their service to the board. It was a pleasure to serve with both of you. The Village and the people of the Village appreciate your willingness to serve on your, what sometimes can be considered an extraordinary circumstances. Thank you both very much and we wish you all the best in your future endeavors.

Chief Herlihy introduced Part Time Officer Tyler Briere, Part Time Officer Kyle Weiskittel. Part Time Dispatcher Amanda Snyder and Part Time Dispatcher Alexa Petrollese and Part Time Officer John Rader, who was not able to be present.

**Village Manager's Report**

**Manager Revella:** We are still going through the software training with the Building Department. Capital Projects, another update coming in on Thursday to update the plants, updates to the community center. We have a more important discussion coming out of the waterfront parks and some changes we want to make to those plans before we move forward with that one. That meeting is on Thursday morning with the Engineer. Went through some traffic studies with the Chief. We're looking at seeing if there is a need for patrol or some other traffic devices in a couple of different streets have come up under scrutiny. Have more rehab loan that came in. Going over those with Treasurer and Village Attorney. Did have PBA negotiations in here and we have it again tomorrow. Hopefully we'll get some more progress. We did have CSEA arbitration regarding the contract. We're trying to settle that now outside of arbitration. Hopefully, get that resolved. Went through a few projects with the Town Supervisor as mentioned in the last meeting. The Rec Dept, decorations are out around Village, fall decorations are in place. A couple more updates on flowers in couple of parks. They're still doing some lawn maintenance. Staff has been cut down for the season. Outdoor soccer has been going well. We can't do the Trunk or Treat this year. They're trying to do a candy drop at Olley Park, kind of like a drive through candy pickup. We're working on that. Submitted a tree grant and submitted the reimbursement for the solutions grant. Building Dept has been working on CO's, permits, Fire and Safety inspections starting in October. We have a meeting coming up with the Amthor property to go over their section, block, lots and the progress that's going on there so the Building Dept can stay on top of those matters. The water and sewer billing company made

some errors which caused about 300 bills to be inaccurate. So, we had to do new letters and bills for all those. Clerk is still working on the Bi-Monthly calendar. Notice for hydrant flushing is out for October. Went over a couple of things, including sales tax and retirement rates with the Treasurer. Retirement rates came in much higher since the state is trying to make up for lost revenue. No update from the auditors, yet. There is a request to consider late fees on a couple different fees for the Building Dept that are going on, we will have that on the next agenda on whether the board is in favor of late fees. There will be a presentation on Accreditation shortly from the Chief. They are going through traffic details. They did Stop DWI. They wanted to thank DPW for helping with updates to the station. They did Rail Trail patrols and watching all parks, being vigilant for any issues. I also wanted to make everyone aware that there's a prayer night scheduled for September 25th at various locations throughout the Villages and Towns. The police are aware. DPW has been working on communication upgrades. Waiting for DMV to register two vehicles. Patching, cutting brush and limbs, sweeping as the weather permits. Putting in new meters, maintain the plants and routine testing. Had to fix a couple hydrants that were hit by cars. Courts are opening. They are doing as much as they can by mail. They are opening and they have some protocols. The Library is planning on being fully open by September 28th. For now, they're still doing curbside and appointments. The Librarian met with the architect last week to go over capital projects.

**Deputy Mayor Moore:** Can you briefly describe what the drive by candy is going to look like on Halloween?

**Manager Revella:** From 4-6 at Olley Park, people would drive into the park roll down their window, get a bag of candy and roll out.

**Deputy Mayor Moore:** You mentioned the Fire and Safety inspections we're going to start back up, how far behind are they?

**Manager Revella:** They are behind the whole section right now.

**Deputy Mayor Moore:** Can you comment on the sales tax revenue?

**Manager Revella:** Still way down. Last month was about 10%. We were as far down some months, as much as 26%. So, sort of leveling out a little bit, but overall, still a huge loss.

**Trustee Ramos:** The struck fire hydrants, is insurance going to cover it?

**Manager Revella:** We have to seek reimbursement. Just have to get the final cost once they are put in.

**Trustee Thompson:** Sales tax, I know that you have made projections, anticipating very bad numbers from the county. How are we as far as where you had hoped Walden would be?

**Manager Revella:** We are better than our worst case scenario.

**Trustee Thompson:** Is there any movement on the Code Enforcement Officer?

**Manager Revella:** That will be tomorrow.

**Trustee Thompson:** Can you give us any idea of what's going on with court?

**Manager Revella:** The state has to actually come and implement protocols on their system so they can do the video court and then have to have safety protocols put in place as well throughout the

building that are different than ours. For all courts.

**Trustee Thompson:** Is there any further information about what's going on Route 52, are they going to consider coming further along on the Village line?

**Manager Revella:** They treated us like a city. In a city, they don't go past the city line because they're not required to because the city maintains even the state roads in the city. But we're not a city, so they should. There's potential they could pave farther. There are some discussions at the state level about that. I'm actually meeting with the DOT on Wednesday next week.

**Trustee Thompson:** Is there any additional information about the railroad track repair on Grant Street?

**Manager Revella:** No, we don't have enough update on that from them about that yet.

**Trustee Sebring:** Any idea when they're going to put the hand rails on Ulster Ave?

**Manager Revella:** I don't have a date yet. They're just waiting for materials. The state approved everything.

**Mayor Taylor:** Are we seeing the finish line?

**Manager Revella:** We just need the rails to come in.

**Mayor Taylor:** Our engineers inspecting that portion?

**Manager Revella:** Those are all approved.

**Trustee Svarczkopf:** The handrails down by the bridge, are they getting fixed soon?

**Manager Revella:** Yes.

**Trustee Svarczkopf:** With the Census, do you know how well we're doing with getting people answering?

**Manager Revella:** The last I heard were 60% compliant.

**Trustee Thompson:** 68% compliant.

### **Approval of September 1, 2020 Minutes**

Deputy Mayor Moore made a motion to approve the September 1, 2020 Minutes. Seconded by Trustee Ramos. All ayes. 1 abstention. Motion carried.

### **Public Comment**

**Sherry Mead:** 31 Alfred Place. I'm here to express some concern about our immediate community up there. We have some serious issues with some speeders up there. They're doing 40 miles per hour, 50 miles per hour down our streets. This is all while our children are outside playing. My household, we have one of those green children at play signs, we have put it at the end of our driveway. We have put it in the middle of the street and they still continue to speed by our house. We have stood in the middle of the street and they speed by our house and we are getting very frustrated.

**Mayor Taylor:** Are they local people?

**Sherry Mead:** They are. It is just the people that are in those immediate streets up there that we have seen. We have had some verbal confrontations with them. Luckily, they have not escalated. We ask them to slow down and they become angry with us. They slam on their car. They get out and scream at us, verbally abuse us. It's gotten pretty nasty up there. We have expressed concern to some of our local Law Enforcement and they told us to come here. So, I'm here.

**Mayor Taylor:** On these occasions, have you called the Police Department?

**Sherry Mead:** We have not.

**Manager Revella:** We did have a discussion with the Police Department. They currently have the traffic monitoring device on another street. When it's done, they're moving it to Maple and then going up to Alfred. It's a speed counter. Checks when they're speeding and how frequent so we can look at when to do patrols or to do some alternative traffic counting.

**Sherry Mead:** We do have a sign up already on our street that is for deaf people, because my in-laws family, who I live with, they are all hearing impaired. We also have a young boy across the street that is severely autistic to the point he's pretty much nonverbal. My son is a runner. He will just take off out of the house as soon as we close our eyes. My driveway is not that big so by the time I can get outside, my poor son is in the street and I'm terrified something's going to happen to him. Help, please.

**Jennifer Muehlen:** 42 Alfred Pl. I live right across the street from Sherry. Here just to comment what John had mentioned under the Manager's Report about how you're going to be looking into certain streets. I have a seven year old. I'm very nervous as well with the speed that they do when they go up and down the street. And if we call, we would be calling every day. They would know me by name. They would know my voice. I know that on Donner, Sunset and on Alfred, already, when you turn left off of Wait Street, there are signs that say "Children at Play" but again, they ignore it. I was one of the individuals that got into the verbal confrontation with the neighbor, a couple of streets down and now he just drives the other way to come on to Alfred, he won't go past my house. I know that I've seen online with NY City DOT, that they do have neighborhood slow zones, I guess that people could request where it reduces the speed limit from 25 to 20. I don't know if that's something that's possible in a Village or in Orange County. But again, it's a concern because there are children that live on the street. A lot of them. And with COVID, we all go outside. We become literally a community that we weren't prior to March. They all play together. With her neighbor having an autistic son, they're being hearing impairments and some of the kids just being developmentally delayed. We don't want to have any issues where anyone gets hurt. I look forward to the speed trap coming. If the police need to park in my driveway, you can. Second thing I wanted to bring up, I guess there was an incident at Midge Norman Park down the street that I heard about through the women that walk around in the neighborhood, because, again, we all talk. I guess it was something that led to an older gentleman having to be taken away in an ambulance because of the group of kids that were there and I guess what had happened in between them. I know years ago that they used to lock the park at night because it should be closing at dusk. But a lot of the kids come there to play basketball. I don't know if that's something that we can do, lock the park at night and unlock it in the morning.

**Mayor Taylor:** When did we stop locking that park at night?

**Manager Revella:** A while now. The incident that happened was at 4 o'clock in the afternoon. Not sure if there's another incident.

**Mayor Taylor:** The Village did try to get speed limits changed around parks. Unbeknownst to us, the State DOT controls the speed limits within the Village. Went through Senator Larkin's office. Was told no.

**Jennifer Muehlen:** That's crazy, especially even with elders that are walking around. 25 is pretty fast.

**Mayor Taylor:** School zone is the only place that the speed limit can be lowered unless the DOT says it can. We don't control the speed on Village Streets.

### **Action Items**

#### **Jody Nicoli Project**

**Manager Revella:** Jody Nicoli had presented the board with a potential project that brought awareness to the opioid epidemic. A memorial to those that have been lost due to that epidemic. Not sure how the Board feels about the location, I actually discussed with the Superintendent and the location he thought would be the easiest to maintain and most visual would be the one of East Main St, near where the dead end is. There's already a fence area there and there is kind of a pull there so it won't be a problem for traffic.

**Jody Nicoli:** That location will work. I know we can't do it in parks and if that's where we could do it, I'd love to do it there.

**Mayor Taylor:** The only thing I wanted to mention to the Board is if we could just possibly stipulate that it should be for Village residents. Just as a guideline for what is going to be there.

Trustee Ramos made the motion to approve Jody Nicoli's Project. Seconded by Trustee Sebring. All ayes. Motion carried.

#### **Set Date for Reorganization Meeting**

Deputy Mayor Moore made a motion to set Reorganizational Meeting for October 6, 2020 at 6:30pm. Seconded by Trustee Ramos. All ayes. Motion carried.

#### **Presentation on Accreditation**

**Chief Herlihy:** My goal upon taking over as Chief of the department is to begin and secure Accreditation status for the agency. For those that do not know, obtaining Accreditation is very complex and timely task. We are going to have to dedicate a lot of time and some money to this task. But in the end, the juice will definitely be worth the squeeze. Accreditation is awarded to a law enforcement agency upon a demonstration of voluntary commitment to law enforcement excellence by living up to a body of standards deemed essential to the protection of the life, the health and the safety and the rights of the citizens it serves and having exemplified the best professional practices in the conduct of its responsibilities. We have a very professional police department right now, but I would like to employ the best practice and the best standards out there, especially with everything that is going on in the world today. We know that in addition, the Governor's issued order 203, that's something that we have no control over. We have to abide by it. There are no moneys allotted for it. It's something that was presented to us. It must be adopted by April 2021. If we do not, then we face the possibilities of losing state funding for certain things. Also, remember that order 203 does not stop once April 2021 comes around and we enact it. It's going to be something that's going to continue on and on and on. Good policy to help police officers make the best possible decisions in critical situations. Policies make sure law enforcement agencies comply with laws, industry standards in case law. Finally, they promote police accountability, which helps police departments build trust in the communities that they serve. The realistic goal I'm setting for the department is to

become fully accredited in 2 years. I think that's a realistic goal. We definitely have the knowledge base downstairs with the personnel that will be there to assist us in doing so. I believe 2 years fully accredited certificate in hand is the goal that I'm reaching for. With us being a small agency and not having unlimited funds or unlimited hours to dedicate solely on Accreditation, I've researched companies that assist smaller agencies with policies and procedures and Accreditation standards and have come up with Lexipol. It's a private company based in California, they provide policy manuals, training bulletins, consulting services to law enforcement agencies, fire departments and other public safety departments. In 2019, 3500 agencies in 35 U.S. states use Lexipol, their manuals or they subscribe to their services. Lexipol provides the only unified solution, which are content, policies and training for law enforcement agencies. Their law enforcement solution provides a full library of customizable state specific policies, as well as thousands of hours of online learning content, all of which is accessible 24/7. In addition to the training that we do, it's something where I would not have to schedule, say, a 4 hour block of class. I can have an officer come in from the road, read over a policy or procedure from today. Do a training scenario based upon it. Keeps certification records on it. Everything is hosted by Lexipol. They provide fully developed state specific policies researched and written by subject matter experts and vetted by attorneys. The policies are based on nationwide standards and best practices, while also incorporating state and federal laws and regulations where appropriate. Managing the agency Accreditation process is a complex, time consuming task that requires intimate knowledge of policy and extreme attention to detail. Lexipol monitors changes in the standards and the required proofs and sends updates as needed. So, we do not have to worry about getting out of date. So, if we have a policy procedure that's in place, something new comes out like 203, they're already on it. They're fulfilling the obligations for it. They're sending it to us immediately. We're reviewing it and implementing it immediately. Our policies and procedures where our standards associated with such, we don't have to worry about them becoming out of date. Lexipol manages everything. Some of the benefits of Accreditation workbench, access to Accreditation body standards and compliance checklists in the same place we manage our policies. Instantly see how our Lexipol policies align with Accreditation standards at the paragraph level. Upload, store and organize proofs of compliance, exampled documents and the videos. Complete self-assessment to identify compliance gaps. Quickly respond to assess a request for compliance documentation once obtaining the Accreditation standard. There are quarterly reviews that we have to pass through and they come down and it's scrutiny because this is the Crème de la Crème. You are a high regarded agency. You are managing the best practices. Streamline. We could spend the hundreds and hundreds of hours that it's going to take us to do it and what would take me a couple of hours to do one policy, essentially with the assistance of Lexipol. We could do 7-10 in the same amount of timeframe that it would take us to do 1 by ourselves. All this can save the agency and my personnel hundreds of hours that we would otherwise spent linking policies to standards and organizing documentation. And that, in turn, will help us prepare for and execute successful Accreditation assessments and audits. The yearly recurring fee that we need to talk about. It's a number we can work into our budget planning for future budget years. Definitely believe it's something that we should add to our budgets from the budget of 21-22 and forward. Obviously, this was not known in our last budget planning process. So, this would be something that I'm going to have to sit down with both Manager Revella and Kelly Kelly about and looking for some funds that we could move around. Some good news, though, although this year's fee would be due upon signing an agreement with Lexipol, I've spoken with them and although they don't like to do so, they have stated that they would afford us the option to do maybe quarterly payments. Also, the implementation fee you see outline would be a onetime fee. This would cover all associated planning until all of our policies were fully implemented and up and running. So it's not a one year that we have to get it all out and do. The implementation fee covers us and takes us all the way to the point of we have all of our policies and procedures in place implemented and running smoothly. Then we just have a yearly recurring fee. Yearly recurring fee enables us to get the updates daily, gives us the access to all their online training content, manages our records on file. Instead of having to dig through folder after folder

after folder, I can go right into the Accreditation manager through Lexipol and print out a document and show everybody's acceptance through date and such. My goal would also be to begin shared services for cost reductions. So while I'm also the Chief in our neighboring community, the Village of Montgomery, I figured if I'm going to strive for Accreditation for the Village of Walden, would also be beneficial to complete Accreditation for the Village of Montgomery. With that being said, if acceptance is approved by this board, I intend to seek the approval of the Village of Montgomery Board to allow the cost of the onetime implementation fee to be offset by a split fee. Our yearly costs are independent. They're set for each agency, but we may be able to split some of that implementation fee costs between both departments. But remember, if it's not accepted by the other agency, then that would be something that we have to take on ourselves. After doing extensive research, I truly believe that hiring let's supposed to move forward with the Accreditation process is the most effective and efficient move for the Village of Walden. Lexipol 160 plus New York specific policies for Accreditation processes. There are over 110 standards and 345 points that would have to meet. That means getting all those standards and policies and procedures out into play. All my men and women downstairs have to become accustomed to them, read through them, acknowledge and understand them and be able to practice them. This gives us the ability to, like I said; specify everything for New York and our agency. Then more than 4500 agencies representing more than 300,000 personnel serving public safety agency since 2003. This is a one comprehensive source management. I believe that this would be the best interest of not only my men and women and the members of the Village of Walden, but as well as the community as well to bring us to that Accreditation standards, status and practice.

**Manager Revella:** I remember a presentation from his company at a Chief's meeting, there were some agencies in Orange County that took advantage. I'm not sure which ones you know.

**Chief Herlihy:** I know some of the some of the chiefs that I've spoken to. I've spoken to the Chief from Chester and Town of Mount Hope. They both use Lexipol. I know there are a couple of agencies in the area like the Sheriff's office. In addition to Accreditation, they're also Callia, which is a higher standard than Accreditation. We have Woodbury with various accredited agency. We have New Windsor as well. A lot of the bosses and Chief's, Lieutenants and Sergeants on patrol. This is my 28th year in law enforcement. I've been teaching at the police academy for many, many, many years. Probably a good 20 years. So, a lot of the people that I've taught or come up with, I've built a forged relationship with and I know that in any time that I would need something from them, they would be sure to lend a helping hand in anything that we would need.

**Trustee Svarczkopf:** Just to clarify, the initial \$14,000, is to set up our policies and procedures?

**Chief Herlihy:** That is the implementation fee. The implementation fee would work like this, if I was to take a policy and procedure today. Start from the ground level. I type it all up. I have to research all of the best practices now to make sure that ours is up to date on par and ready to go. Then I'd have to type everything, give it to somebody to review, make sure that we're okay with it. And then I submit that for implementation. I implement to my personnel and then we get it out rolling and I start the second one. In the same time we did that, Lexipol will send me 7. We review and redact what we don't need, add what we need. Send it back to them. They'll type everything out for us and then send us all 7 back and immediately ready for implementation.

**Trustee Svarczkopf:** Then at the end, you will have a book of all your policies and procedures.

**Chief Herlihy:** In addition to a book that we can keep manual wise, we also have electronic form.

**Trustee Svarczkopf:** The yearly fee is to make sure that all of our current officers have acknowledged all policies and procedures and they keep track of that.

**Chief Herlihy:** The yearly fee basically is the service fee that anything new comes out today, we don't have to call them up and ask them, what do we do? They're automatically on top of it. They're automatically sending us the best policies and practices, the updated information, and we're implementing them right away. That also gives us the ability yearly to go on to their website. Everybody will have their own sign on their own log on. They have access to the 1100-ish training modules that they can go in and do something. If you wanted to do something about whether or not this policy or procedure is applicable or did you follow this rule or what would you do if you did this? They basically give you a scenario. They give you the reasoning behind why you shouldn't have done that. Then your answer/question to make sure that you understand that policy procedure correctly.

**Trustee Svarczkopf:** You said that the training can be done from any device. The training happens during work hours?

**Manager Revella:** Yes.

**Chief Herlihy:** The savings could be, instead of like I said, if I had to set up a class today for handcuffing techniques. I have to get everybody to come in. If it's not inclusive of their time on the road, then it's over time or I have to fill their shift if it's on their shift to get them to the class. So, this would give them the affordability to come in, sit down. Some might take 20 minutes or half an hour, log on and read the scenario, go through the what ifs and then answer your questionnaire. You're at the bottom and then you're done and you're back out on the road. Also, if you get interrupted by a call, go answer the call, come back and pick up where you left off.

**Trustee Kraus:** I like it. How many officers are they allowed to put on the plan? All of them?

**Chief Herlihy:** They basically told me when I set up the process, it's based upon our full timers. Gave them the numbers for part timers and they said that's fine.

**Trustee Kraus:** Add more later on?

**Chief Herlihy:** Correct.

**Trustee Kraus:** What are you doing now?

**Chief Herlihy:** We have our policies and procedures, but it's very detailed. I have to take somebody away from work that they're doing. If it's something that they could be out on the road doing, speed enforcement, if they could be, answering calls, obviously the call would take precedence over this. But if it's something that's not detrimental out there and they have to spend their time on the policy procedure, then that's something that they have to take time to do. But then that takes away from other responsibilities. This is going to be streamlined.

**Trustee Kraus:** Did you talk to the Town and Maybrook?

**Chief Herlihy:** I have not. I can get them on board. I mean, that's going to be their assessment fee as well. When I was talking with Lexipol, I kind of introduced the two and they kind of said on the low that we would allow the split cost with the two. I didn't go into three or four.

**Trustee Kraus:** I was just thinking for the whole area would be worthwhile.

**Chief Herlihy:** I would love to do that. That would be something that we could also talk to the

Supervisor and the Mayor of Maybrook.

**Trustee Kraus:** I think it would work out. It's a good thing.

**Deputy Mayor Moore:** The implementation fee, that's to get through all 335 points?

**Chief Herlihy:** That's to get us through all policies and procedures, anything that we put out towards the Accreditation, that's going to cover the implementation fee.

**Deputy Mayor Moore:** If The Village agrees to participate and share implementation fee, is that also something that could be classified as shared services?

**Manager Revella:** Yes.

**Deputy Mayor Moore:** The yearly, is that based on contract or calendar year? If it's implemented today.

**Chief Herlihy:** It's good for a year.

**Trustee Ramos:** This is Texas based company, correct?

**Chief Herlihy:** Yes. But there are the attorneys are New York specific. Just their company is based out of Texas. Originally, it was created by two guys and then the third CEO that we're out of California. They were all police officers and attorneys and then they developed this. They incorporated about 95 different locations in California and then they started branching out afterwards. So, they're there probably in excess of an excess of 50 million a year in funds. So, it is a for profit, but it's the best practices.

**Trustee Ramos:** Any litigation? Lawsuits?

**Chief Herlihy:** That would be on us if we violated any of the policies and procedures.

**Manager Revella:** I think he's trying to say that if we followed their policies and procedures and we are sued based on it.

**Chief Herlihy:** I would have to research more so into that. I don't see anything in there about that. I have not seen anything in New York that has been violated from their policies or procedures that said it was anything against the civil rights or anything like that where the agencies were sued as a result of following the policy procedure that they put out. The non-following the policy procedure by the member at the department would be the cause of the lawsuit, not just the policy itself.

**Trustee Ramos:** How come we didn't go with Callia?

**Chief Herlihy:** That I would have to research further. When we talked in our interviews, it was Accreditation that we were looking for. Accreditation was something that we have wanted for a long time. It's not happened as of yet. But now that's my top goal. That's where I want to bring us.

**Trustee Ramos:** Doesn't NYS DCJS have an Accreditation program?

**Chief Herlihy:** They have an Accreditation program. That's something that I would have to send somebody to and dedicate all that time to them. We could do that. I have no problem with that. We can spend the countless hours and time in doing such. It's going to take away from

what I have going on downstairs right now. I have no problem with doing that, if that's what we want to do. But this is the streamlined process. I said all the policies and procedures basically look at this as the accountability, where if something's wrong with this, then we have somebody that we hold accountable. As opposed to if I was to write the policy or if I had another member of my Sergeant staff write the policy and something was wrong with it, we violated something then that's a policy that we would have to be responsible for. With this, we have somebody that is accountable that we have to go action wise against. I have no problem if we did it all by ourselves. But this is going to be streamlined. They already have all the policies and procedures ready to roll that are the best practices being practiced in New York. All we would have to do is get the policies, read them, remove what's not applicable to us, redact anything that we don't need in there. Send them back. They fully type them out, ready to our specified needs. Send them back. At that time, I sent out an e-mail to every member of personnel downstairs, read the new policy and procedure. They log on, they read the policy procedure, they go through the question and answer it at the bottom to their acceptance and their understanding of the policy. Then we have the electronic format of it. As opposed to now, I write the policy and procedure. It takes me whatever time. I then review it. I have another member of staff review it. Once we agree that everything is fine with it, we implement it. Then I have to go to everybody and ask if they read it. Now I have to make folders for everybody. Then I have to make sure that all the paperwork is in the folders. It's very time consuming. I have no problem doing that. I'll do it. This is more of a streamlined process. And I think for the amount of money that implementation fee spread out over, if my goal was two years, to spread that amount of money over two years, I think it would be crazy for us to not do it.

**Trustee Thompson:** I do agree with what you just said. Being involved in something like this in my previous career, it's exhausting to do it all yourself and to track every single employee, make sure they did it and make sure you log it, make sure you keep a folder. It's a lot and things can slip through the cracks. When you switch over to a system like this, it really is a lot more efficient. People seem to like it a lot that they can do it online. The cost actually will likely be a cost savings in the end, rather than doing what he's saying that he would be responsible for doing. I think this is a much better way to go, if we can budget properly for it.

**Trustee Sebring:** Does this help with our insurance rating for our dept?

**Chief Herlihy:** We've spoken with the insurance carrier. It's not going to be like a savings like you would think. But if we're looking to go from a 40% insurance rate cut, we're not going to get it. If we get maybe 3-5%, maybe or the reduced in the liability assessment because we are held to the best practices and the standards where it shows the accountability of our members downstairs and the ability where we could go and do discipline. If you were in violation of the policy, we're going to nip that in the bud right away. Then we have to follow up with disciplinary practices from that point. I don't necessarily think that it's going to give us a huge, huge insurance reduction. But the liability process might be.

**Trustee Sebring:** If an officer violates any part of the policy, is that kept in his record?

**Chief Herlihy:** If there is a substantiated charge and its disciplinary action. There are a couple of different things that we could do. If it comes down to a command discipline, a command discipline we could use as educational. If it's a gross violation of the policy and procedure, then that's a different story. For example, today, you didn't shave. That's a command discipline. Don't do it again. That's a verbal counseling. It's educational. Unlike abuse of force or something like that. That is totally different. That would be seeking termination or loss of time or whatever the punishment would be for such.

**Trustee Sebring:** What does this PBA for the State of New York feel about stuff like this, if they

have a problem with their officers?

**Chief Herlihy:** Policies and procedures are up to the department. The PBA really has no say what policies and procedures are made. This is for the best practice and the betterment of that department. To keep our community in line with us, that we are protecting them, that there is no issues here, that we are an open forum, that we love the community. Anything with the violation of the policy of the PBA wise, of course, the PBA is going to stick up for their members. That's their responsibility. But in turn, if they've done something wrong, that's a gross violation and they have to be dealt with accordingly. And from the members that I spoke to downstairs, we're all on the same page. These are rules and regulations for the department to bring us to the future. And if anyone is really in support of violating, then that's a problem. They don't really belong here.

**Trustee Thompson:** If you have someone in our Police Department that also works in another Police Department and they're also doing the same program. How does that work? The policies and procedures, across the board for the state? Or will they be different in each and every local municipal department.

**Chief Herlihy:** There's going to be the best practices for New York State. But there are some policies that won't be applicable to each agency, like there might not be a policy and procedure for a holding cell because some agencies might not have a holding cell. But for the treatment of the citizens and how we investigate hate crimes and how we do handcuffing techniques and how we do use of force. Those are all the New York State best practices that every agency should be applying.

**Manager Revella:** Say you have one that works in the Town of Newburgh and they sign off that they saw that policy. Does that carry over to ours?

**Chief Herlihy:** No, that's Newburgh's policy. But it would be under the same nature. So, you could come in and review it and you understand the policy procedure already because it's not just specific for here, it is the best practice in New York. But then again, there will be specific policies and procedures for here.

#### **Resolution 5-20-21 – Judicial Audit**

Trustee Ramos made a motion to acknowledge receipt of Judicial Audit. Seconded by Trustee Svarczkopf. All ayes. Motion carried.

#### **Zombie Telephone Poles**

**Manager Revella:** We have these dummy poles and Dave was able to find a law from the Village of Cornwall-on-Hudson as a sample. If the board is inclined, he can draft something similar to this for introduction at the next meeting. I know that sometimes they're more of a nuisance than others. It depends on the location, so it's up to the board if they want to move forward with it.

**Trustee Svarczkopf:** Essentially, it says they must remove them?

**Manager Revella:** Yes.

**Trustee Svarczkopf:** There's a fine, I'm assuming. The reason we've been told in the past that the poles are still there is because there's still one agency that still has their lines connected. So, it's a fine for those agencies? Is it by the day, by the month?

**Manager Revella:** They have it as \$250 for each violation. Each day the violation continues, it's a separate violation. After 90 days, it moves up to \$1000 a day. This is the way they did it on theirs, we can do it any way you want. They have another, second conviction \$2000. If the violation

continues it's a separate violation.

**Trustee Sebring:** Today, I rode all the streets and we have 29 of them.

**Trustee Thompson:** I say we authorize Dave to draft a law to get rid of these eyesore and potential hazards.

**Trustee Sebring:** Another thing that we could add to that is when they go and cut the wires and tie it to a pole or let them hang, that's a problem.

**Payment of Audited Bills**

Trustee Svarczkopf made a motion to approve Payment of Audited Bills. Seconded by Trustee Ramos. All ayes. Motion carried.

**Correspondence**

**Deputy Mayor Moore:** I received a thank you note from State Farm, Dina O'Brian, thanking me for going in your place for the ribbon cutting ceremony for their new location. It was very nice being a part of that.

**Trustee Ramos:** Received an endearing note from Mrs. Hernandez. Very nice lady. Thank you.

**Mayor Taylor:** We still need a representative. I left the card on the table last time for the Eagle Scout Ceremony.

**Chief Herlihy:** I'll be there.

**Manager Revella:** I'll be there as well.

**Miscellaneous Comments from the Board of Trustees**

**Trustee Svarczkopf:** It's been a pleasure. I will see you again.

**Deputy Mayor Moore:** Thank you Dan and Larry, it's been a pleasure serving with you. Chief, I did take you up on that offer. I walked through the changes downstairs. I was very impressed. I would also like to thank DPW for not only their assistance down there, but also with the stuff up here on the third floor when stuff needs to be set up. I cannot reiterate enough the importance of every Town resident or stakeholder in the Town of Montgomery, please go to the Town of Montgomery website and fill out the Town Comprehensive Plan Survey. It's very important. The survey will be accepted until September 30th at 11:59 p.m.

**Trustee Ramos:** I just wanted to comment on my neighbors on Alfred Place. I've seen it. I'd like to work on getting that enforcement up a little bit higher. I've called the police on the motorcycles. I've called police on the ATV's racing up and down in our neighborhood and we're going to get there. I have kids. It's frightening what happens. And it happens on Sunset. It happens on Donner. I don't know how we're going to combat that, but we're going to work hard at that. I would love any input from my neighbors and we'll get something done. Thank you for coming out tonight.

**Trustee Thompson:** I would just like to thank Trustee Ramos for coming to the Climate Smart Expo this weekend. It was part of the Climate Smart Initiative that our Village is participating in. Thank you for coming to that. I have finally figured out how we get the documentation to submit every action that we've done here in the Village and that's my goal to get that going this month and next, so we can get a lot of things and get where we need to be. So, when there's funding opportunities, we are ready to go.

**Mayor Taylor:** I'd just like to urge residents in the Village of Walden, if you haven't completed a census form. Please do so. If we're undercounted, we lose funding and right now, no one can afford to lose funding.

Deputy Mayor Moore made a motion to adjourn. Seconded by Trustee Ramos. All ayes. Motion carried.

**Village of Walden Board of Trustees  
Regular Meeting  
September 22, 2020  
Motions & Resolutions**

**Approval of September 1, 2020 Minutes**

Deputy Mayor Moore made a motion to approve the September 1, 2020 Minutes. Seconded by Trustee Ramos. All ayes. 1 abstention. Motion carried.

**Jody Nicoli Project**

Trustee Ramos made the motion to approve Jody Nicoli's Project. Seconded by Trustee Sebring. All ayes. Motion carried.

**Set Date for Reorganization Meeting**

Deputy Mayor Moore made a motion to set Reorganizational Meeting for October 6, 2020 at 6:30pm. Seconded by Trustee Ramos. All ayes. Motion carried.

**Resolution 5-20-21 – Judicial Audit**

Trustee Ramos made a motion to acknowledge receipt of Judicial Audit. Seconded by Trustee Svarczkopf. All ayes. Motion carried.

**Payment of Audited Bills**

Trustee Svarczkopf made a motion to approve Payment of Audited Bills. Seconded by Trustee Ramos. All ayes. Motion carried.

Deputy Mayor Moore made a motion to adjourn. Seconded by Trustee Ramos. All ayes. Motion carried.