

**Village of Walden
Joint Meeting with the Town of Montgomery
September 22, 2020**

Mayor Rumbold called the meeting of the Village of Walden Board of Trustees to order at 6:00pm.

On roll call the following were:

Present:	Mayor	Sue Rumbold
	Deputy Mayor	Faith Moore
	Trustees	John Ramos
		Larry Kraus
		Brian Sebring
		Dan Svarczkopf
		Lynn E. Thompson
	Supervisor	Brian Maher
	Council Member	Ronald Feller
		Kristen Brown
		Cindy Voss
	Town Attorney	Stephanie Tunic
	Town Clerk	Tara Stickles
Absent:		Sheryl Melick

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

Public Hearing – Annexation

Deputy Mayor Moore made a motion to open the Public Hearing - Annexation. Seconded by Trustee Thompson. All ayes. Motion carried.

Councilman Feller made a motion to open the Public Hearing - Annexation. Seconded by Councilwoman Voss. All ayes. Motion carried.

Becky Pearson, 167 Walnut St, read through prior Village Board minutes regarding the annexation petition. She expressed her concerns that they are looking at this property to be annexed and there is no plan.

Trustee Ramos made a motion to close the Public Hearing - Annexation subject to a period of 5 days for written public comment. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Councilman Feller made a motion to close Public Hearing - Annexation subject to a period of 5 days for written public comment. Seconded by Councilwoman Brown. All ayes. Motion carried.

Supervisor Maher: I'm not going to speak on behalf of the board, but I believe I have a good temperature for where they're at with this. We're absolutely willing to hear why you believe it's important to you. We have given mutual benefit or even a benefit to you that we would allow you to annex in.

Manager Revella: As we discussed, the Comp Plan asks and calls for annexations to come in as the least dense zone, to be consistent with surrounding zones and in this case, R3. The Village is built out and any vacant lot really is being built right now. There's nothing else to build on. So, annexation of additional land seems logical. If you can't build up, you have to build out. We're trying to work on that. The Petitioner came to us with that intent in mind. It could be under R3 single family residential, it could be senior housing. Those are allowed in R3. No, they don't have a plan, yet. That's something they would work on with the developer and the Building Inspector and the Planning Board and this board as well, if needed, to see what would be the best thing to go there once it became feasible to come in to the Village. Obviously, we could always use additional tax revenue. It works in our favor in that avenue. The Town still does get tax revenue from a parcel in the Village. So, it's not that they're getting nothing either. A vacant lot in the Town doesn't make as much as a built on lot in the Village.

Trustee Svarczkopf: I'm totally for annexing as much property in the Village as we possibly can, but again, I think we need on outskirts of our Village, we need a larger zone. I have repeatedly said that.

Deputy Mayor Moore: I just want to clarify my comment regarding affordability was regarding the homeowner affordability, not the developer affordability. And it was in response to wanting to have a conversation regarding higher density property. Not annexation.

Trustee Ramos: I firmly believe that Deputy Mayor Moore, we've exhausted statistical data on affordability. What this property affords us and the Village of Walden and the Town of Montgomery. It gives us a shining beacon for the areas you approach into the Village of Walden. It allows us to expand our water and sewer by having our CDBG grants, are more affordable to us, are willing to see that we do need some help with our infrastructure and New York State would have to acknowledge that this area is booming and new houses means new kids, more schools. Hannaford's would be booming, as it is now. I'm all for the annexation in the R3.

Trustee Thompson: I would just like to comment on something that Rebecca said. She made a remark this evening about sewer capacity is up to the board. It is definitely not up to the board. That is what we go by the recommendation of our engineers. I have expressed concerns about the water and sewer capacity, about the well head protection. I am not an expert in the field of the water and sewer and our engineers are telling us we have the capacity, then that's what we have to rely on. So, if they are assuring us that we can annex and we have capacity for a certain number of homes or whatever is going to end up going in there, then that's okay with me. I do believe the Village does need to grow, because we are running out of options with housing and things like that. But I do have some concerns that we have really good language about well head protection and our wells are close to where this is. That's the only thing that would make me want a little more information about what's going to be happening with this particular parcel.

Trustee Sebring: My big thing is that we need to increase our tax base, because we are built out. The size of the property would be R3. There are some different ways that we can work into that. We can discuss it with the builder. Otherwise, he can build whatever he wants and not want to be annexed in to the Village. I'm in favor of annexation. This way we have some say into it. Our tax base goes up. We've lost a lot of kids out of our school system, so it's bringing in some more back in and it'll be good for the area itself.

Mayor Taylor: A major for me, Brian you were very sensitive to this issue when you were the Mayor of the Village, is well head protection. We have to work with the Town to get that in place because whatever happens there, whether it's within the auspices of the Town or the Village, we have a well there that needs to be protected. That discussion really has to be something active. For me, that's a major part of it. I've heard over and over from so many people that we don't want our Village to look like the Town or be the Town. And at the same time, you want to same density allows for building houses in their area. The last thing I would want to do is annex a piece of property into the Village and make it look like it doesn't belong here. We know what the Village looks like, the way the houses are built, the size of the pieces of property. I understand density. But I want to welcome someone if we allow housing to be built there to look like housing the housing that was built here, so that people don't know that that property was annexed into the Village. I would like people to believe that that property was always part of the Village because it resembles the rest of the Village. I understand what Deputy Moore means by affordability. We all know what housing is. We know that we don't have enough affordable housing. What's affordable and what isn't? I think sometimes what people think is affordable until you try to pay the bills, it isn't really affordable. We have to consider that in the mix. I agree that we want to know what's going to go there. How do you figure water and sewer capacity if you don't know? So, what do we do? Pick an arbitrary number and say this is all the water they can use? The engineers should be able to tell us that. We need their guidance. They've said we have enough capacity. Is that for 143 homes? What is it? We need to be specific about that. I am for annexation because I believe that we need to grow. It's almost like you have a girdle around the Village and expansion is limited. So, do we create another zone? An area where there is opportunity for people to come and live here? And we know from what we've been reading in the paper that a lot of people are now interested in coming to this area. They don't want to live in apartment buildings. They don't want to share common ventilation systems. They want their kids to be able to play on their own property. I think we have to think about that kind of migration that's happening not just because of Covid, I think many people are just tired of living in a city that's congested. I would be in favor of annexation. I think it would be good for the Town, because of revenue. There would be more revenue for the Town with houses on the property than squirrels and milkweed. I think it would be beneficial to all of us. But that a key piece for me, Supervisor Maher, is the well head projection. I think we really need to get serious about that.

Councilwoman Brown: Well piecing, is that where you're referencing?

Mayor Taylor: No, well head protection.

Councilwoman Brown: Do you guys have any wells on this property for the Village?

Manager Revella: No.

Councilwoman Brown: So, your main concern are the well head.

Manager Revella: They are about 2400 feet up the street.

Councilwoman Brown: I was speaking with the person who was in charge of the source water protection program. She did ask to come speak to us. I would be interested in discussing that under shared services, if that's something that we could offer. We have another well head that I'm not sure if that has a source water protection. The one that's over by Berea school. We have other wells and you guys have other wells. If we could discuss maybe putting it under shared services as something that I could possibly help out on.

Supervisor Maher: Prior to Covid, we were taking a look at well head protection. We were having resources come in to kind of educate us on the different things that we could be doing so that we'd be more prepared for a conversation like this. We'll work together on it and that's a no brainer. These things should happen parallel and if we're going to move forward with this annexation, we ought to absolutely address the well head protection issue. Not just here, but wherever it is an issue throughout the Town and all Villages.

Councilwoman Brown: Lynn, you're on the CAC?

Trustee Thompson: Yes.

Councilman Feller: 1200 square feet, is that R3?

Deputy Mayor Moore: 12,000 is a minimum square footage for R3. According to our chart, with neither water and sewer, it's 20,000 square foot lot size minimum. With either water and sewer, 18,000 square feet and with both sewer and water, 12,000 square foot minimum.

Councilman Feller: Basically, 15 acres.

Manager Revella: There's a stream that goes through there, a buffer zone. The buffer takes out a lot of the land as well.

Councilwoman Brown: Do you guys have a larger zone or would you have to create?

Manager Revella: R3 is the largest.

Councilwoman Brown: This may be something to look forward to, but the property that we're discussing right now, are you guys thinking about the future as to where you want to set your boundaries, yet?

Mayor Taylor: Our Comp Plan encourages annexation of properties because of the situation that exists in the Village. This board can make a decision about what the boundaries need to look like and a future board could change that determination at any time. What the vision is, my vision at least, is if we annex property and it's going to be residential, that it should look like the Village. So, there is no distinguishable difference between the two areas. But I can have a vision of a boundary. The Village of Walden has had a vision for hundreds of years of what the boundary looks like. Now that boundary may need to change and that vision may need to change and it may change again down the road. There's nothing we can really do about it. We can just act on what we see now. That may change at a later time as well.

Councilwoman Brown: I was just a little sensitive to where your well locations are in your boundaries.

Manager Revella: Ideally we want to have control over the well head as part of the Village, but it's pretty far out.

Councilwoman Brown: That's what maybe the shared services agreement, I don't know if that's legally written anywhere.

Supervisor Maher: Just from a philosophical standpoint, in terms of indexation, because we have one that is going to be coming in from Maybrook as well. I know I heard a comment from a young lady who spoke earlier, why would a Town want to do this? Why would we want to lose our revenue? Well, the Town of Montgomery is not just the Town of Montgomery. It's also the Village of Walden and the Village of Maybrook and the Village of Montgomery. So, when I look at any annexation, something that's good for the Village of Walden is also good for the Town of Montgomery and also for Maybrook and for Montgomery. We plan to use this as a catalyst to discuss other conversations on ways we can promote and help make our Villages more vibrant and potentially help them from an economic standpoint. When you talk about housing, it's a win win because we get to see a portion of that revenue. And there's other multiplier effects that happen. They don't just shop in the Village of Walden. They'll shop in the stores in the Town of Montgomery as well. So, there's certainly an economic impact to the Town. There's expenses as well, but that's something that we address in all of our developments no matter what. So, from that standpoint, I wouldn't be against this just because we're losing out on potential future revenue. I wouldn't because any annexation, but in this case, we're actually going to potentially see some revenue as well. I'm fully supportive of this. Looks like you guys have your heads wrapped around it. I know that there's tons of planning that we still can do. But let this be an opportunity for showing that we're willing to work together. This could lead to future conversation. Would be zoned R3 or would you have to change it?

Attorney Donovan: The law provides that there's no zoning designation. The property would come in at the least dense zone. Otherwise, the Village would designate the zoning. They could, if they wanted to designate it R3, it would be R3.

Supervisor Maher: I personally support this annexation.

Councilman Feller: Yes. For R3.

Councilwoman Brown: I'm going to think about it.

Councilwoman Voss: Yes.

Supervisor Maher: We hear you about the well head protection. We're going to talk to John about that. We had some internal discussion with the CAC. We'll bring those resources in and get to work.

Hill Street Bridge

Supervisor Maher: We had a great meeting with myself, Shaun Meres, Jim Farr, Lynn Thompson, Mayor Taylor, John Revella. We got in touch immediately with our engineer, who was going to be specific and someone who's expert in bridges. The individual representing the firm, worked on the Tappan Zee Bridge. Potentially could be a source for us to finally fix this issue, which is many,

many years old. We are going to have a report from them in the next few weeks. The first thing we are going to do with that report is send it to you guys and we'll have a little subcommittee take a look at it, have a conversation and then we would hopefully be able to make a decision at that point after bringing it to our Town Board as to what the cost would be. We would sit down together with Lynn, Mayor Taylor and our crew. Then you guys take it to the Village Board. We take it to the Town Board. A couple of weeks away from hopefully having a path forward, which is a change from nothing happening.

Shared Services

Supervisor Maher: I've been having some internal conversations with John. In terms of this just being very mindful of any shared service opportunities. It could be police, highway, anything at all. There is an organization called Patterns for Progress, who sent me a proposal. They wanted me to send it around to all the Villages to see if they wanted to sign on and have them do like an outside kind of bird's eye view of what we could do potentially from a shared services standpoint. I was going to share that with John first and fed through to you guys. If it made sense, we could find some idle funding to take care of most of the cost. We'd like to share what cost would be left, if it's reasonable and see if we can identify some opportunities to save some money.

Manager Revella: The County is reviewing the shared services again. They sent out material to review for the shared service committee. That began back when the Governor *inaudible* shared service incentive. After the first couple of meetings, shared that information with the board. So, that kind of kick started this again and that discussion again on what could we share, county wide, what's Villages and what is Towns and even neighboring towns could. Not everybody needs a sweeper. Not everybody needs a paver. If we're using it 3 times a year, we can share it around.

Supervisor Maher: What's really important about that is all you have to do is put down on paper, have us agree that it's shared services and then matched by the state is dollar for dollar. So, if it's \$200,000 and we save \$50,000. We each get \$50,000. Plus we saved \$50,000. It's a huge incentive. And there's different ways we can get creative on that. We could do stuff in house. We can figure out certain ways to do shared services. But this is an organization that represents 15-16 different counties. And no other places are doing it. If it's not too costly, I would float you guys what might be something we might want to look at.

Councilwoman Brown: Is there anybody else that wants to work on the well head protection? I know Lynn.

Manager Revella: Myself and Lynn.

Trustee Ramos: I would.

Supervisor Maher: Thank you for the accommodations. Marisa, you set up the room. Excellent job.

Public Comment

Becky Pearson: You're willing to annex without knowing what it's going to be.

Mayor Taylor: We are willing to discuss annexation which is what it was this evening. It's not on our agenda. It will be discussed again with this board. This was a discussion to find out if the Town

was willing to annex the property. If they weren't, the point was moot. We did have a discussion about well head protection, which is very important. This was a discussion. It's not about a vote.

Becky Pearson: And what you and you also, Supervisor Maher said was that boards change. So, right now we have a Supervisor who is willing to do that. The well head protection grant came in over 10 years ago and the Town Board didn't want anything to do with it. So, who's to say in a year and a half from now, Brian doesn't get back in and this all happens all over again.

Mayor Taylor: The only thing we can do is think about and consider the application in front of us for 36 acres. What happens to those 154 acres? I can't begin to guess. You can only go with the application that we have before us.

Becky Pearson: So, if you annex a property in and you're talking about R3 right now. Without any changes or any talk about other zones or making something different. And the applicant comes in and he decides he doesn't want R3. He has to go before the Zoning Board or he has to come before the Village Board again to change it. Again, I don't understand why you're putting through annexation without knowing what the applicant wants to put on that property. That's all I'm saying. I'm not saying you should or shouldn't do it. I'm saying I don't understand. Every one of you, except for Trustee Moore said that you wanted to see what was going to go on that property before you made any decisions. And that's not happening.

Councilwoman Brown: Policy wise, what's the plan? We're going to talk about this amongst the two boards.

Mayor Taylor: You have your own discussion. If you ascent to annexation. Then our board can take action on it.

Councilwoman Brown: Somebody said we have to have a vote in 90 days.

Attorney Donovan: The annexation law provides that you need to vote within 90 days. No vote actually approves the annexation. The plan would be to have written findings, assuming that the annexation is approved, the written findings would be presented to the board. It would be the same findings the Town would adopt, as the Village would adopt. They would designate what the zoning district is. If you recall, this was done fairly recently with the Amthor property.

Trustee Svarczkopf made a motion to declare our intention to Lead Agency. Seconded by Trustee Ramos. All ayes. Motion carried.

Trustee Ramos made a motion to adjourn. Seconded by Trustee Sebring. All ayes. Motion carried.

Councilwoman Brown made a motion to adjourn. Seconded by Councilwoman Voss. All ayes. Motion carried.

Reconvene

Trustee Svarczkopf made a motion to reconvene the joint meeting of the Board of Trustees. Seconded by Trustee Ramos. All ayes. Motion carried.

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Motions & Resolutions**

Public Hearing – Annexation

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