

**Village of Walden  
Board of Trustees Regular Meeting  
October 20, 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:	Mayor:	Susan Taylor
Present:	Deputy Mayor	John Ramos
	Trustees	Brian Sebring
		Willie Carley
		Faith Moore
		Cheryl Baker
		Lynn E. Thompson

Absent:

Also Present:	John Revella, Village Manager
	Marisa Kraus, Village Clerk
	Dave Donovan, Village Attorney

Dean intro Mike Friedman Code Enforce Officer.

**Presentation – Community Center**

Village Engineer, John Queenan made a presentation on Community Center at Olley Park. Proposing a 60x88 foot building, approximately 5,280 square feet.

**Trustee Carley:** Are you going to have 2 handicap parking spots?

**Engineer Queenan:** We're proposing 6.

**Trustee Thompson:** You think we're okay being at the base of that big hill as far as run off?

**Engineer Queenan:** Yes. What we'll do is the same thing that we did with the restroom facility. Cut back, flatten out and there'll be a drainage. The building itself will probably be vinyl siding. Roof will be stagnancy metal that will match other buildings. There will be a room for the staff nurse, that will handle camp facilities during the summer. Janitorial, central restrooms and the rear recreation administration office. Will have a coat room, some storage, mechanical and then you have the great room. You will see the kitchen and then associated with sound area and storage. Great room is capable of easily accommodating up to 340 people at one time. Also includes a design for a stage. We are developing the contract documents going through, outfitting this entire building with specs for everything from toilets and sinks to the kitchen. Will be a commercial grade kitchen.

**Mayor Taylor:** The staff nurse room obviously is not going be a year in, year out. That can be multi-purpose.

**Rec Coordinator Bliss:** For my staff, park staff. \*inaudible\*

**Mayor Taylor:** When you say janitor, that's where the mops and such go?

**Rec Coordinator Bliss:** Storage, toilet paper, paper towels, mops, everything.

**Trustee Moore:** Are you moving your office there, too?

**Rec Coordinator Bliss:** Yes.

**Trustee Thompson:** What are the barn doors?

**Engineer Queenan:** Decorative.

**Trustee Thompson:** It doesn't fit with the style of the building to me. It looks like a barn. I think it detracts from the front of a building, which is lovely. Just my opinion.

**Engineer Queenan:** It's the vent for the attic.

**Trustee Baker:** The handicap stalls, are the toilets comfort height or are they with the bars?

**Engineer Queenan:** Comfort height.

**Trustee Carley:** Is there a wheelchair ramp?

**Engineer Queenan:** Yes. \*referred to site plan\* on the first page. The sidewalk up and end at the main door. Front only.

**Manager Revella:** The back is at grade.

**Trustee Carley:** For evacuation purposes, that was cut off?

**Engineer Queenan:** The sidewalk wraps all the way around the building to the kitchen.

**Mayor Taylor:** I'm assuming this is going to be on a slab. Are we doing anything like we did down at the DPW building? Radiant heat in the flooring? Anything?

**Engineer Queenan:** Not at this point.

**Mayor Taylor:** How are we going to heat this?

**Engineer Queenan:** Most likely oil, because I don't think there's natural gas in the park. We did speak about radiant heat. It's possible to put it in the contract as an alternate. But at this time, have not pursued that.

**Mayor Taylor:** Because of the expense?

**Engineer Queenan:** Yes.

**Manager Revella:** The natural gas stops at the top of Sherman. It's possible to have it run down. We're looking into that as well for natural gas.

**Trustee Thompson:** Is propane an option?

**Engineer Queenan:** Yes. But when you get into the larger heating system with a big tank.

**Trustee Thompson:** What about the existing parking lot? Will that have enough capacity if there's a large event?

**Engineer Queenan:** Yes. Right now, you have your camp, I think, might be up to 300 or 400.

**Trustee Thompson:** Drop offs and pick-ups, but if there's an event and cars have to stay, is this parking area adequate?

**Engineer Queenan:** Right now, the parking area can hold probably 100- 150 cars. Which would get you to roughly 300 - 350 people.

**Trustee Baker:** Is there a place for an eye wash station?

**Engineer Queenan:** This type of facility would not require it.

**Manager Revella:** We have it in the building next to it.

**Trustee Sebring:** Are the trash containers going to stay there?

**Rec Coordinator Bliss:** Right now, it's going to stay until we get to a point where I'm talking about upgrading the parking lot.

**Trustee Thompson:** Should the dumpsters be closer to the kitchen area?

**Rec Coordinator Bliss:** It can be moved at any time.

**Trustee Carley:** Your staff will have enough room?

**Rec Coordinator Bliss:** Yes. Camp is outside so the whole staff won't be in the building. That's for the nurse and assistant nurse during summer camp, but outside camp season will be park staff. More than enough room.

**Mayor Taylor:** Inclement weather if it's raining, kids can go inside?

**Rec Coordinator Bliss:** Yes. This way we never have to evacuate. Currently we have parents come and pick them up for rain, thunder, lightning. We'll never have to do that again.

**Mayor Taylor:** This black line that goes around the building, that's the sidewalk?

**Engineer Queenan:** Correct. it goes back to the kitchen. There are other doors but they'll just have a pad in front of the door. Will still be at ground level.

**Trustee Baker:** Is it key access for the building?

**Rec Coordinator Bliss:** Probably a key.

**Trustee Carley:** You will also do the cameras?

**Rec Coordinator Bliss:** Would have to wire the building to put them in. That would be at a later date.

**Trustee Carley:** You have two storage areas, right?

**Rec Coordinator Bliss:** Yes.

**Trustee Carley:** I'm asking because I'm thinking 300 people, 300 chairs, tables.

**Rec Coordinator Bliss:** Correct.

**Engineer Queenan:** If the Village goes forward with the stage, we reserved that area for lighting, visual, whatever is associated with that.

**Mayor Taylor:** Back in the day, I can remember there used to be a storage area for folding chairs under the stage.

**Engineer Queenan:** We haven't gotten that far yet into the design, but it's certainly something can look in to.

**Mayor Taylor:** Seems like a lot of space could be utilized over there and that could be storage for folding chairs. I would hate to see anything wasted. What is the size of the stage?

**Engineer Queenan:** You're looking at about 35x10-12.

**Mayor Taylor:** It seems to me if you put the chairs under there, easy access to set them up in the meeting room and that then frees up these other 2 rooms for the sound and the storage. Could also probably slide tables under the state. I think that would be a great storage area and that frees up these other storage areas for real storage. So, what's the next step?

**Manager Revella:** We just need to approve to go out to bid.

**Mayor Taylor:** We have all the funding that we need?

**Engineer Queenan:** Yes. It includes the building and the site work.

**Mayor Taylor:** What period of time are you looking at?

**Engineer Queenan:** We think, if things get back to normal, it could probably be 6-8 months of construction. Right now, with the way building products are running and scheduling, probably looking at the 8-12 months from the start of construction. We're hoping to get this out to bid, get the bids back, hope it falls in line and get the foundation in, the slab and then they can work up to the winter framing.

**Trustee Moore:** How long is there a wait for framing materials?

**Engineer Queenan:** Right now, the lumber prices are probably up 20-25% percent. The last I checked, 8-10 weeks back logged. That's if we were to order today. It's not getting better. It's only getting worse. And now there's a shortage on concrete. Every day it seems like it's something else. I just hope the prices come back down. If we don't get the covid price to do this and get charged that now.

**Trustee Thompson:** How late in the season is it for the concrete work?

**Engineer Queenan:** Weather dependent, you get a cold snap now, probably nothing. But we've poured all the way up until probably the second week in December. Luckily, we don't have a lot of

concrete and we're just doing the standard footing and putting the slab. It's not a huge amount and that can be done relatively quickly. The framing and the prefab trusses and getting that material lined up is going to be, I think, a challenge right now.

**Trustee Carley:** The budget presented to the board previously is pre-covid?

**Engineer Queenan:** Yes.

**Trustee Carley:** If you go back and look at covid prices, where does it stand now?

**Engineer Queenan:** We've gone through the design, we have taken some things out. It's balanced. I think were roughly the same, maybe slightly higher by 5%. I think we're probably the same, around \$600-650k.

**Mayor Taylor:** I'm assuming we have water and sewer hooked up in that area.

**Engineer Queenan:** Yes.

**Mayor Taylor:** I know this is ancillary stuff, but are we going to do some kind of landscaping ourselves?

**Engineer Queenan:** Yes.

Deputy Mayor Ramos made a motion to approve the Community Center Project to go out to bid. Seconded by Trustee Sebring. All ayes. Motion carried.

### **Village Manager's Report**

**Manager Revella:** Going through personnel matters with special council, bills, dig permits, rehab loans with the Treasurer. Did have to go to DMV to get registrations for the 2 new vehicles. We calculated the CSEA retro. Sent the PBA and CSEA retros out for review. Went over the DOT paving on Route 52. Fred has been talking to them about the reclaim they're getting from the roads and what they're doing with it. We did go over the audit invoices with RBT and the Village Treasurer. They should be scheduling soon. Went over the plans for the community center as you saw. Rec Dept, outdoor soccer is going well. New back boxes up in Olley Park, as well as Wooster from an Eagle Scout project. We do have a Christmas in the Square meeting coming this week to discuss how that will work out under these circumstances and getting a tree. There is a Farmer's Market at Wooster's Grove on October 25th from 10 to 3. That's through the Town of Montgomery Farmer's Market that they have been doing. We did confirm the Town budget includes the Rec contribution from the past. We don't have an update from the State on whether we can do indoor soccer or basketball. as of right now, it's still not allowed. Building Dept has been working on COs, municipal reports, permits. The software updates are online. They did want to thank the Treasurer for helping out on that. Dean does have some mandatory training coming up. He's been starting to show the new employee around as well. The Clerk has formed the Leadership Day Committee. Election went smoothly. Working on FOIL requests. There were some requests from employees on retirement calculations and buybacks, so she had to go through personal records for that. The Treasurer has water and sewer in penalty now. The Edmunds software updates are still ongoing. The Workers Comp audit is also coming up. Public Works did have to do a sewer line replacement on Sherman Ave. They found a section that was out of whack, they replaced it. They've been cutting back brush and limbs from the road. Fred wanted to let us know that training is costing a little more now, because they used to do it during these conferences that we're members of. It was a little cheaper. Now, they have to do it all online and all have to pay separate for certifications. But he said he has ways to make the budget still balance. The Police Dept has crossing guards and

patrols ready for any Halloween activities going on. Including the Drive Thru Trick or Treat at Olley Park. There are some road patrols going out in response to the traffic studies and there's some special details coming up as well. The courts are open. They've been having limited hearings and appearances here. Separating and social distancing. The library was planning on opening fully on September 28th, but were slowed due to covid and RCLS, which is their boss. They're still doing the appointments for people to come in right now and some online programming. The Village Attorney wanted to talk about the updates for police reform. He'll do a little bit of discussion today, as well as the sewer assessment fees, pandemic policies. Pretty much a modification of the plans that we had in place back in March, April.

**Trustee Moore:** Just for clarification, one of the new vehicles that you registered was the new police vehicle?

**Manager Revella:** That's correct.

**Mayor Taylor:** On behalf of the board, we'd like to wish our manager, John Revella, a happy birthday.

#### **Approval of September 22, 2020 Joint, October 6, 2020 Re-org & Regular Minutes**

Trustee Moore made a motion to approve the September 22, 2020 Joint Minutes. Seconded by Trustee Thompson. All ayes. Motion carried.

Deputy Mayor Ramos made a motion to approve October 6, 2020 Re-org and Regular Meeting Minutes. Seconded by Trustee Moore. All ayes. Motion carried.

#### **Public Comment Business of the Board**

**Becky Pearson:** 167 Walnut St. Can you just touch on Amthor project? What the relief is for.

**Attorney Donovan:** Have we received anything?

**Manager Revella:** I have not received anything formal.

**Attorney Donovan:** I haven't received anything at all.

**Manager Revella:** In the discussions that we had, we know that there were currently in front of the Planning Board for a site plan. Some requests were made. They're at a timeline for moving out of the facility and wanted some special consideration for utilization of this facility until their Planning Board approvals.

**Becky Pearson:** The project itself, my comment is, it would be nice to know who owns the property now. I do know that there's been some discussion about the Planning Board and what's happening. I know the trailers are in the wrong spots and they need to have toilets and they're not sure they want really do the sewer line or are they going to do the sewer line? Hopefully you're all up to speed on that. My other comment was, is the little piece of property that as I keep hearing that it's grandfathered in under the Town, the one that has the cars on it. I FOIL'd for what the application was because there's no comments from the Board here. Whether that piece of property that piece of property that has the used cars on it is grandfathered under the Town, will the Village Board allow that or is everything in the Village. Is the sewer hookup going to happen? I know that they're talking about a toilet that's there that they want to use and pump out. I'm not sure if that was part of your agreement. I'm interested to hear what's going to happen. Since you annexed that all in and was okay with everything at the time. On the Community Center, have you thought about solar and about geothermal? Those are some issues that you want to talk about for heating and or electric.

It might be nice to go into that direction. That's something to think about. It's a nice plan. I just question the bid package and how you put in a big package yet without knowing exactly what is going to be inside. I'm hearing that you're not sure whether the stage is going to be there or not. He didn't really say. There might be things missing. I was wondering if you could have a list of what's going to be in there now and then it talks about later for the amount of money, because I know the pricings are crazy. I just wonder what was being left out versus what's going to be in. Bluestones would be nice to be used there. Manager talked about the Rt 52 reclaimed part of the ground. Do we know where that's going? Is it local? Are we taking it?

**Manager Revella:** Town of Crawford.

### **Action Items**

#### **Orange County Tax Exemption Resolution**

Trustee Moore made a motion to approve Orange County Tax Resolution. Seconded by Deputy Mayor Ramos. All ayes. Motion carried.

#### **Amthor Project – Request for Temporary Relief**

**John Mensch:** Owner of Orange County Transit. I operate the school bus company and I served as local school districts, but in this area would be the Valley Central and the Wallkill School District. When covid hit, we were shut down. There was no school from March to June on the executive order. We made the decision to consolidate because the one facility we had a neighbor was no longer a good situation for us. So, we wanted to consolidate into our location in Walden. Which is at the Amthor property. We negotiated with the Amthor family and we have contracts to buy the property based on annexation. Annexation went through. We were supposed to close in December on the sale of that property in totality. With covid, the timeframe to move and do the Planning Board and permits is a struggle. We did hire Larry Marshall to do the engineering and the site planning. We did submit site plan work and project to be reviewed. We've been in front of the Planning Board twice so far. We met with Dean and we went through some issues that were on site that preexist and with the number of employees that we have, bus drivers, mechanics, office staff, there is no sewer hookup at the site. We brought in portable potties. They're on trailers. They're holding tanks. There are some office trailers that house dispatch and the office staff. That was part of the final plan to move those and hook up to your sewer system as part of the annexation. Those toilets and porta potties are temporary. I come before you because I'm looking for a relief, because of the timing, that I can still operate my business and transport the kids with the local 2 school districts, at the same time going through the process of Planning Board making the changes as requested.

**Mayor Taylor:** I'm confused, did the Building Department totally shut down at any point during covid?

**Manager Revella:** No.

**Mayor Taylor:** When did the Planning Board start doing their meetings virtually?

**Building Inspector Stickles:** We met virtually until we could meet in person again. They never stopped meeting.

**Mayor Taylor:** I'm confused about getting paperwork in a timely manner because the Village never shut down. I don't know where the issue is.

**John Mensch:** The issue was timing on your side and timing on our side. We didn't know if we were going back in September. I didn't know if I was going to have a business or a contract because

of covid. So, we waited until we knew if the governor was going to send the kids back to school. So, I could afford to pay for the project and do the hook up to sewer and water. Schools are currently shutting down when they get cases, so we work today or tomorrow, maybe not next day. We're committed to develop the property. We're committed to buying the property and we're looking for some time frame to work through this process.

**Mayor Taylor:** I can remember when you came before the board, I asked the question that if you had adequate septic there to be able to run the business with the number of employees there. My understanding is that you brought more employees over to that site and that's why it's no longer able to handle the capacity.

**John Mensch:** There is no sewer hookup. The current system, there is cesspools and the cesspools that are currently in the ground can't handle the volume of employees.

**Mayor Taylor:** So, that's why the porta potties there.

**John Mensch:** Yes. There are current tenants there that the Amthor family has that are bound by leases. I have those employees or those companies in place there, plus my employees that are there.

**Deputy Mayor Ramos:** I understand with the closing of Maybrook put a serious bind on the business of transporting kids to Wallkill and Valley Central. I know it's tough to be working today and not working tomorrow. I understand you brought all your busses from the Maybrook site to Amthor's property and you're ready to close in December and complying with everything that the Building Inspectors has indicated in his notices to you. I have to applaud a business in that magnitude to continue to stay in business while they're doing this. I've seen the site. I've seen your portable toilets. We had them in the Military when I across the water. They're just as good as my bathroom. I know you're trying to comply with everything. I appreciate it.

**Trustee Moore:** When you complete your purchase, you'll be purchasing the entire property, including the buildings that are being leased out. So, will you then become you'll become the landlord?

**John Mensch:** Correct.

**Trustee Moore:** The annexation has already happened. It came in under the designation that we recommended for the zoning. Therefore, those renters should be following the policy under our zoning. There is no grandfathered in under what the Town said.

**Manager Revella:** They're in under our agreement.

**Trustee Moore:** That will not change when ownership changes because we took it in under that agreement.

**Manager Revella:** It's in the agreement what the occupancy should be and that's the way it's going to stay. Otherwise they have to comply with the code.

**Trustee Moore:** Dean, are those occupants are complying with the code?

**Building Inspector Stickles:** The other occupants haven't done anything. It's just the bus company.

**Trustee Moore:** There's been no change. There's no issue. So, the temporary relief that you're looking for is asking for the trailers to stay, the porta potties, while you're waiting for the purchase to then do water and sewer?

**John Mensch:** Yes.

**Trustee Moore:** Will there be a timeframe that you'll be willing to agree to, should we agree to this temporary relief, that after closing, you will do the water and sewer?

**John Mensch:** Absolutely.

**Manager Revella:** Do you know what that time is?

**John Mensch:** No. I have to work with your Planning Board and engineers and the annexation requires me to hook up to sewer within twelve months, which we're doing now and we already ordered the traffic study on 52. We have to work with the DOT. We're doing all the things we can. I don't know if I can give a certain timeframe.

**Trustee Moore:** The annexation paperwork, I do remember it specifically saying that he had 12 months from the day of annexation and not twelve months from data purchase.

**Manager Revella:** Correct.

**Trustee Thompson:** I'm very sympathetic to your plight, but it's clear that you understand that it was 12 months from the annexation. I understand covid has turned the whole world upside down but I don't think anybody thought that schools were going to stay closed forever, so I guess I'm just a little puzzled as to why you delayed to get things rolling on your end.

**John Mensch:** The 12 month timeframe is just for the sewer and water. In dealing with that, that was always a go ahead because we need that anyway. Larry Marshall and the engineering are working with the hook ups because we have to find the hookups, plus we have to hook up to every tenant that is currently existing on facilities. There are multiple hookups that will have come in. There is a pumping station that I have to put in. I have to pump the sewer up the street because your hookup is by the dollar store. When we shut down in March, we needed to face a couple of things. One is our contracts are very detailed and we need to know if we were going to get paid for that time period of shut down or not. Looking at the funds and the financial part, is it worth going forward and also closing on the property and having the finances to do the project because we knew in the annexation, we had to develop the property. With the governor, shut down by 2 weeks and didn't physically shut down completely until June. We didn't know if we were going to open. One of the school districts than I do, is shut down. We transport into Kiryas Joel. I don't know when it will open because there is no date. It is tough. To make that call and commit to it and have the financing to finish the project. Last thing I want to do is start a sewer project and then not have the funds to finish.

**Trustee Sebring:** As far as the sewer hookup, you could always give us a date, we can always extend it depending on the circumstances. How many extra buses are there from Maybrook?

**John Mensch:** When the annexation happened, part of my operation was already there and that was my grandfathered. I'm okay with moving forward with sewer and water hook up. I could probably commit to a time frame for that. When I moved Maybrook over, looking at almost 70-75 different size buses.

**Trustee Sebring:** I ride by there and I see that your parking lot, next to the Winum's is getting packed in. What are you go to do for the Winum's come winter and you're gonna have to start your busses and let them warm up with all their exhaust fumes going into the atmosphere and you're so close to the property?

**John Mensch:** Years ago, when I got the contract, I bought brand new propane buses, which had zero knots in the atmosphere. Zero fumes. I do have gasoline and diesel busses, but those are the spare buses.

**Trustee Sebring:** With all the extra buses that are there now, that's going to be a big question from them to us. Maybe at a point in time, as to how you're going to protect them from some fumes, even though it's propane. And the noise in wintertime, the noise travels far. How are you going to correct that problem?

**John Mensch:** I already have been on the site with busses and probably a 130-135 have been parked there for the last 3 years and we've went through winters and we started busses and we operated and our maintenance facility is there. Working on busses during the day and the noises, we've been there for 3 years and we haven't had a single complaint that I know of.

**Trustee Sebring:** When is your contract up with Valley Central?

**John Mensch:** I have this year and next year to go. It's optional to renew. Same thing with Wallkill.

**Trustee Sebring:** Hypothetically, you have a year and half to go, your numbers would have to be really good because now you've invested in this property to keep your business.

**John Mensch:** We have other school districts that we run. So, if there's a chance that we don't renew, Valley Central and Wallkill and it goes to bid and we lose, we always have the option to renew. If we don't choose to renew, then there's another day, but we have other customers in other contracts that we serve.

**Attorney Donovan:** If I could just interject for a second, the issue that I think you're asking is you want to go into the site and operate because you have these circumstances.

**John Mensch:** Correct.

**Attorney Donovan:** So that's a Planning Board issue. It's not an authority this board has. You could allow it to operate. In terms of whether or not you wanted to extend the time for sewer hookup, you have that authority. If that is something you want to extend you can consider doing that. As far as letting this operation go forward, once you've appointed the Planning Board, you delegated that authority to the Planning Board. I think it was concluded that this use of the proposed for a site plan approval, many months, by a class 3.

**Building Inspector Stickle:** Yes.

**John Mensch:** My position is that I'm going to make the 12 months. Weather permitting. If the ground is frozen, I can't do anything. But as long as I'm showing progressive completion on the sewer and water, I believe I can make 12 months from the annexation date.

**Mayor Taylor:** I hope you forgive me, it appears to me like you want to a sure thing. You want to know that you're going to be in business. You brought those employees over here from Maybrook knowing what the capacity was for the sewer at that property. I know you know that because you

brought in the porta potties because you knew and that was a question that was asked by this board, how many employees you have on site? Do you have enough capacity to handle it? I don't remember you coming here and saying "I'm gonna have to bring employees over here for Maybrook because that site is no longer working out for me". This Village didn't shut down. When covid came. Our Planning Board met the. Building Department has been working. You made the decision not to file that paperwork and continue that process because you weren't sure about what you were going to do with the property. I understand that. Very precarious situation. Rather than continue that process, you decided to slow it down. Now, all of a sudden, you want us to give you temporary relief because of business decisions that you made along the line. It's not the fault of the Planning Board. It's not the fault of the Building Department. Those were decisions that you made because you weren't sure whether you still wanted to buy the property because you didn't know who was going to be viable. While I am sympathetic to what's happened to you, to a lot of people out there, those were decisions that you made. You're a business man. If you didn't think it was going to be viable, then you say "I don't think I can buy the property any longer". We have an agreement. That agreement was specific about timeframes and what was going to happen with that property. Now, you don't know what the time frame is going to be. I don't know if you're sure about anything at this point. But what I'm sure about is when I signed an agreement, that's what it is. I would appreciate certainly you endeavoring to do anything you had to do to meet your obligation with this Village. To me, now we're starting off on the wrong foot to begin with. Because when somebody tells me I'm going to do X, Y and Z, if you do X and Y, and then you say you really don't want to do Z, that doesn't count. I don't count X and Y, unless it has Z. While I sympathize with you, I think half of this or probably 3/4 of the dilemma that you're having now is your own fault because you made decisions not to continue with paperwork, not to continue with anything and now you're bound up with the Planning Board because they have questions and your deadline is staring you in the face. You brought those employees over here because you found that site wasn't viable. I don't remember my Village Manager telling me that he got a phone call from you or he was informed in any way that those employees were coming here, because at the time you ask that annexation, we knew how many employees were there. Asked you specifically about that capacity and you brought those employees over anyway, knowing that you weren't going to meet that capacity.

**John Mensch:** True. I do have an obligation with my contract and an obligation to the Village and my obligation is to transport the kids safely every day that live in your Village. So, I made the decision to operate on the safest way I can by putting everybody in that location and giving them the opportunity to use the facilities by putting porta potties and at the same time, I did submit the process. The process does take longer. But I was fully committed to buying the property. So, I accept my decision as a businessman. I'm not looking to back out of property. I'm not looking to back out of the sewer.

**Manager Revella:** He was sent a violation from Dean. To remedy the violation, he has to comply with Dean's order or ask the board for relief from that violation. Is that correct?

**Attorney Donovan:** If he wants to appeal the violation, he needs to appeal to the Zoning Board.

**Trustee Moore:** What I heard and correct me if I'm wrong, but what I heard is you are still planning on having the sewer hookup complete by the 12 months from the annexation.

**John Mensch:** Correct.

**Trustee Moore:** So, what I heard then from the attorney was that you're not seeking relief from us.

**Attorney Donovan:** I'm here to tell you what the rules are and the rules are that you don't have approval authority. You could extend water sewer hookup date. You don't have to decide that

tonight. Building Department has issued a violation. You can appeal that violation to the ZBA. I understand you have taken counsel. They should advise you about how to do that and what the ramifications are. This board can't allow you to commence operations.

**John Mensch:** Well, I'm glad I'm here tonight because I want to communicate my situation and not come like a bad neighbor because we do have a lot of employees that do shop and do live in the community and we do transport. If it's not here that the board makes a decision to do this, as you say. Then I'll go back to the Planning Board. The zoning is there. I have to appeal back to the Zoning? No, it's the Planning Board.

**Attorney Donovan:** Again, I'm not your attorney. I understand there's been a violation issue. So, you can appeal that violation to the zoning.

**Manager Revella:** There might be some confusion, because we thought we were going to get something in writing from your attorney in order to review, to know what direction to point you in, but we didn't get anything. So, that's why we don't want to waste your time.

### **Village Fee – Permit Fees, Sewer OT Charges**

Deputy Mayor Ramos made a motion to adopt Village Fee changes as proposed including Sewer OT Charges. Seconded by Trustee Moore. All ayes. Motion carried.

### **Ethics Board Opinion**

Trustee Moore made a motion to adopt the Ethics Board Opinion. Seconded by Deputy Mayor Ramos. All ayes. Motion carried.

### **Public Comment**

**Becky Pearson:** There was nothing on the agenda tonight about the discussion I had last week about the ZBA and Planning Board waiver that was going to be discussed. Whether you thought that was for this year. Thank the attorney for sending out some information. I just thought that I might see it on the agenda. Annexation, those comments in the last meeting about I&I sewer issues and what was happening to the plant and probably is happening in our sewer plant. Again, there's been no discussion about that. All board members have said at one time that they were not going to annex without knowing what was going to be on the property before it came in. Now it's changed. We still don't know what's going to be put there unless someone has an information and it's not public. I know you're talking about R3, but is that what it's going to be? Those discussions I haven't heard. All of you are possibly granting that. I believe that you're going to set precedent when you do that without having what you want on that property. I think that's a bad precedent to set in this Village. What is the reason for the overall public interest? I haven't heard that either. What are the conditions you want for this property? Getting to the I&I part of that because I believe that there was probably at one point in recently, we probably paid \$10,000 for I&I issues. Other communities with well-known and documented sewer issues have programs where I&I remediation measures are implemented to offset any of the projected increase in the sewer flows by the project. A metric could be set up and developed for this Village, where increases of sewer flows from the project require an offset of a certain portion to allocate toward ongoing finite problems. Meaning that you can ask developers and have developers put toward your project. You don't have to pay the whole thing. That's why I'm saying you need to take time to do what's right for this Village. You don't have what you need to make these decisions in your codes. It's frustrating to me. Where are those reports from your engineer to professional? Where are those reports that are saying you have a capacity for this? Where is my public interest and your public interest? What is it good for? You need to have a plan. Sue talked about the beautification committee to someone. Do we have a beautification committee in Walden? Who is it? What is it? I spoke to the Community Council and asked them what their thoughts are on the beautification committee. They do what we can do for the

Village with our own money, we don't really sometimes get involved. I don't know how we're using this beautification committee. I'd like some reference line who the committee is and what they do and what the purpose is. I don't think it's really defined anywhere. Back to Amthor, he has his buses. The issue with that, is the lot lines. He doesn't want to put in lines. He's trying to get away with things. We're talking about it last time, sewer assessment fees to help with I&I remediation. We are having the engineer look into that for us, for new users. During the budget sessions, we did budget for a significant amount for sewer improvements and I'm not sure if Dave remembers but during the last few years, we've been doing a lot of I&I work through grants. The board has been working hard at it to make sure that we're doing what's right for the public in general. You may not have been aware, we had a consent order back in 2009. We got off of that one and on to a different one because different reasons. It was (SPEDES) changes. It's just a permit that we get from the state. Because of that change, we were on a new order which is the work that we're doing now.

### **Payment of Audited Bills**

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

### **Correspondence**

**Trustee Carley:** There's a neighbor bringing up a situation, because there's a new family that came in around June, July, noise issues. It's chronic. I read through our codes and everything and explained it to them, they asked what happens when someone continues to make the noise 1, 2, 3 in the morning. When do they get fined? What happens after that? According to our code, it says \$250 a day. I couldn't speak to the fact if that family is getting fined now. I told them that I will bring it up. Is there something out there that you can speak to that, that I can bring back to them?

**Manager Revella:** They would have to call the police and get a violation of the noise ordinance and go to court for that.

**Trustee Carley:** Police have been called several times.

**Building Inspector Stickles:** I don't have the meter, the Police Department has the meter.

**Attorney Donovan:** They would have to make a complaint. That complaint would have to result in some sort of summons issued by the Police Department. That would be determined in court.

**Trustee Carley:** The police have been called several times and it would stop. But we are here at 2, 3 in the morning verses how to stop and prevent it.

### **Miscellaneous Comments from the Board of Trustees**

**Deputy Mayor Ramos:** I attended the Orange County Citizen's Foundation. We did a tour around the Village. Very nice and good group of people. We had some discussions on things that we can improve. The Main St area.

**Trustee Moore:** Just want to respond to the continued public comment from Becky Pearson, that I was the only board member that did not say anything regarding wanting to know what the property was of the proposed annexation back in February. Our attorney advised us that we should not even have discussion regarding zoning until we have a joint meeting to determine whether or not property wanted to be annexed in. That topic has not come up to conversation since then, which is why I've never commented on it. I wanted to just also make mention that Chuck Savasta and the Village of Walden business Tickled Pink, did a really beautiful photo shoot today, he dyed his beard pink in honor of breast cancer awareness. I just wanted to draw some attention to that. I also would like to say that I am very proud of what this board has been working on for the last 3 1/2 years, the

removal of fluoride from our water, revamping of the fire and safety inspections, abandoned property registries, helping Hope Not Handcuffs come into our Village Police Department just to name and highlight a few of the many things that we've been doing. The Village and all of their beautiful residents are very near and dear to my heart. So, with all that said, after a lot of thought and a lot more prayer, I am resigning from the board effective Friday, October 23rd at 5:00 p.m. due to some residency changes in my life. I will remain an active stakeholder in the community because I still run and operate a business here. Thank you all for your support.

**Mayor Taylor:** I think I can speak for everyone on the board and the residents of the Village, you've been extraordinary. Great service to the residents here. It's been a joy to work with you and I know how life can change. I hope and I'm sure we all sincerely hope that you find happiness. Have fun over your new grandchild. We wish you health, wealth and lots of fun.

**Trustee Thompson:** Yes. I just would like to update the board on what I've been working on with our Climate Smart initiative. I spent Saturday Benedict Farm Park maintaining 250 trees. If any of you would like to join me the next time, we do that, I'll come pick you up and bring the tools. I would love to have your help. We're moving ahead with that. November 1st is a tentative schedule, tree planting event. This is all for soil conservation and to diminish what flows into the Wallkill River. We've done Trees for Tribes in the Village all along the Tin Brook. I've already spoken to Mike, we did a tree inspection. We're going to be doing the tree maintenance down behind Walden Estates in the spring. It's a great program. I did e-mail John Queenan about the energy stuff over at the proposed community center site. I think if it's okay with you, John, he should talk to Carolyn Cassata from the Heat Smart program because she's amazing with connections and arranging funding for some of these really innovative heating and cooling ideas. So, if there's anything out there, she would definitely be aware of it. I'm glad Becky made the comment about the education for the people on our various boards here in the Village. The year is almost out. So, if we are going to forgive the educational component, I agree with her that we really do need to make a decision on that. If we are going to give them an extension and move it into 2021. I think we do need to make a decision on that.

**Mayor Taylor:** Can you put that on the next agenda?

**Manager Revella:** Yes.

**Trustee Thompson:** I will miss you, Faith. Thank you for everything. I've enjoyed working with you.

**Trustee Sebring:** Thank you, Faith for devoting your time to the Village and all that you have done. You've been a woman with no hours in the day. You can just go from one thing to another to another to another. I don't know how you do it, but you did. We're gonna miss that.

**Mayor Taylor:** Just as a point of reference. I joined this board in 2009. And anybody knows about sewer issues and I&I issues, it's former Mayor, Becky Pearson. When I looked up to see exactly how many projects we did during your tenure for the sewer department, barely anything. Since I've been on this board, we've planned. We've worked. We have fulfilled the agreement that we had in DEC that came under your term. We fulfilled that and they decided to extend it. Which is how they now maintain control over Villages and their sewer systems. I happen to be very proud of our Manager and the Village, our engineers for working with our Village to remedy problems that existed here for years. Can't do it overnight. Need to figure out how to pay for things, which we do. But I have to tell you, I didn't see perfection back in 2009. I don't think I've seen perfection since I've been here. But what I have seen is hard work and people constantly thinking about the Village, how we can maintain and improve the life that our residents lead here. I resent personally, not just

as the Mayor, I resent anyone insinuating that we don't care about our Village, that we make decisions arbitrarily without facts to back them up. Everything we do, we speak to our engineers, we have communications with DEC. We're not just pulling things out of the air. I really resent that you would even imply that's what's going on. After what I saw happen in 2009, during that period of time. I just want the people of this Village to know that in the years that I've spent on this board, we've spent many hours, a lot of thought in what we've done to try to improve and continue to improve on the system that exists in this Village and we will continue to do it in the years beyond. We do discuss things. Maybe not to the extent that some people would like. I can remember being at board meetings until 1 o'clock in the morning because we shove the same piece of paper around time and time and time again and we never make a decision because we had to talk about some more. I do believe that there has to be dialog, but I don't think you need to beat a dead horse and shuffle the same piece of paper around 20 times. What you do is you get advice from your engineers, from your manager, from their attorney, from the people that you pay money to, to give you that advice so you can make sound decisions. And that's what we've done. I just wanted to make that clear that all municipalities that have sewer and water systems are going to be working on them forever. Because that's how it goes when you have infrastructure.

**Executive Session – Personal History of a Particular Person**

Trustee Moore made a motion to enter into Executive Session to discuss collective bargaining negotiations, CSEA, Litigation. Seconded by Deputy Mayor Ramos. All ayes. Motion carried.

**Reconvene**

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

**Village of Walden Board of Trustees  
Regular Meeting  
October 20, 2020  
Motions & Resolutions**

**Community Center**

Deputy Mayor Ramos made a motion to approve the Community Center Project to go out to bid. Seconded by Trustee Sebring. All ayes. Motion carried.

**Approval of September 22, 2020 Joint, October 6, 2020 Re-org & Regular Minutes**

Trustee Moore made a motion to approve the September 22, 2020 Joint Minutes. Seconded by Trustee Thompson. All ayes. Motion carried.

Deputy Mayor Ramos made a motion to approve October 6, 2020 Re-org and Regular Meeting Minutes. Seconded by Trustee Moore. All ayes. Motion carried.

**Orange County Tax Exemption Resolution**

Trustee Moore made a motion to approve Orange County Tax Resolution. Seconded by Deputy Mayor Ramos. All ayes. Motion carried.

**Village Fee – Permit Fees, Sewer OT Charges**

Deputy Mayor Ramos made a motion to adopt Village Fee changes as proposed including Sewer OT Charges. Seconded by Trustee Moore. All ayes. Motion carried.

**Ethics Board Opinion**

Trustee Moore made a motion to adopt the Ethics Board Opinion. Seconded by Deputy Mayor Ramos. All ayes. Motion carried.

**Payment of Audited Bills**

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

**Executive Session – Personal History of a Particular Person**

Trustee Moore made a motion to enter into Executive Session to discuss collective bargaining negotiations, CSEA, Litigation. Seconded by Deputy Mayor Ramos. All ayes. Motion carried.

**Reconvene**

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