

**Village of Walden  
Board of Trustees Regular Meeting  
May 17, 2022**

Mayor Ramos called the regular meeting of the Village of Walden Board of Trustees to order at 6:30pm.

On roll call the following were:	Mayor:	John Ramos
Present:	Deputy Mayor	Willie Carley
	Trustees	Lynn Thompson
		John Elliott
		Becky Pearson
		Brian Sebring

Absent: Patricia Maher

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

**Public Hearing – Local Law 3 of 2022 -Landlord Registry**

Deputy Mayor Carley made a motion to open Public Hearing. Seconded by Trustee Sebring. All ayes. Motion carried.

**Mary Ellen Matise:** 54 Gladstone Avenue. I see 2 errors. The letter that I got. Number one says Village of Walden has adopted Local Law 10 of 2014. Okay, fine. But then when I go to the Local Law, it was revised in 2017 by Local Law number 7. So why shouldn't I have been given that information, too, so that I know what I'm looking at? Second error, possibly error and maybe somebody can if I'm wrong, just tell me, because I can handle that. But here it says section four amendment to section 221-5, this is the proposed change, the existing code, section 221-5 is amended by adding a new subdivision designated as subdivision b as follows and I read subdivision b. But then when I looked at the current law. Subdivision b, to me, is saying the same thing as a, but a isn't being changed. A is not being removed. So to me, it seems like it's saying the same thing twice. And then the current b, which says if you don't pay up, we're going to put it on your taxes and all the punishable things that's going to be called c. Am I wrong?

**Mayor Ramos:** Where is the a?

**Mary Ellen Matise:** A is in the existing law. So you don't even have the existing law here. This is just the proposed change. So unless somebody is really doing their research and looking online and saying, here's the current law and here's the change. To me, it seems like it's the same thing.

**Attorney Donovan:** Let's take that as a comment. I'm not prepared to answer yes or no. We're going to take a look at that as a comment.

**Mary Ellen Matise:** It says a registration fee shall be established by the board and shall be set forth in the Village schedule. A fee is which schedule may be amended from time to time by resolution of the board. Well, isn't that what b says? I think it is.

**Mayor Ramos:** No it's not.

**Mary Ellen Matise:** What's b? A registration fee.

**Manager Revella:** That it will become a lien if you don't pay it.

**Mary Ellen Matise:** But that's what c says.

**Manager Revella:** There's no c in 221-5

**Mary Ellen Matise:** Then we're going to move b to c, and then this new b to me is saying the same thing that the current a is saying.

**Manager Revella:** It's 2 different things.

**Mary Ellen Matise:** I didn't read it that way. Maybe when you discuss this, you'll explain why it's 2 different things and why there's going to be 3 points there, because it doesn't read that way to me. The current fee schedule is from 2019. There's not been a discussion about changing it yet, but the current fee schedule is April 2nd, 2019, and the currency fee schedule says 25\$ per building, 10\$ per unit, residential and commercial. One-time fee unless changes are made. So now are you changing the cart and changing the horse or what are you doing? Because if you're only changing, you're changing the law. But then you're not changing the fee schedule because the fee schedule is contrary to what you want to change in the law, which says an annual fee. This says a one-time fee and it says it excludes single family home rentals and owner occupied units.

**Manager Revella:** Which section you referring to?

**Mary Ellen Matise:** The fee schedule.

**Mary Ellen Matise:** I really think you guys are ill prepared to deal with this law change because, number one, I don't even know if any of you have looked at the existing law. And number two has and I brought this up and also Cheryl Baker brought it up, has anybody looked into how this could be done more efficiently and more effectively? Now, one Trustee told me she talked to the Building Department. Nobody else talked to the Building Department, did they? Anybody. So you're just going to blindly vote on a law. Put in some new fees and be done with it without investigating why it's being done, how it's being done, and how it could be done better. And there are examples out there. And the last meaning I gave you an example of Maybrook. Did anybody talk to Maybrook and see how they're being more successful in getting a reply the first time? Because the reason to ask for all this extra money is because we're not getting replies the second time or maybe even the third time from landlords. Well, how come they are? And don't say because it's a smaller Village, because they probably have as many problems with landlords as we do. They have a lot of rentals. And we have a bigger staff. There's no balance here and there's no it's not fair or equitable to people who are providing housing for people who cannot afford to own their own homes. Not everybody can be a homeowner. It's a hard and an expensive proposition and as homeowners, we all know that. It doesn't get easier as you get older. People become landlords for many different reasons. Not necessarily just because they want to be a landlord or they think it's the most beneficial and financially lucrative thing they could do. There are lots of reasons why people become landlords, but it also fills a need that we have in this community and to not be upfront with people or not do your homework on it. Shame on you.

**Building Inspector Stickle:** I prepared for the board meeting what I thought the changes were in the local law. I don't see it as a major problem at this time for what I asked at the budget here. Number one was currently in section 221-4. It states that if there are no changes required to be made to landlord registry form, a statement of no change is X'd to the Building Department. But we

have found due to the fact that many times the box is checked X but there are changes. The Building Department had asked that we change that to every year you have to fill the form out and send it back complete, not just being checked. We have also made to where now the form has to have the owner and the managing agent sign so that we know these people do actually live in Orange County. So we've made some changes there. That's the only section of 221-4 that I asked for change. As for the increase of fee, it's not an increase in fee. At the current time for a commercial multifamily, single family. It's an annual requirement that you send out landlords registry fee. The only time we receive a fee is when you initially sign up for a to be on the landlord registry or changes ownership. Other than that, there is no other fee. So a property in the Village could be owned for 20 years by one landlord and never pay another fee. What we had proposed is to cover the cost of department staff preparing information for paper and postage and all of this that it just be a \$25 per rental building fee per year, not rental unit, but rental building. If you have a building with eight apartments in it, you're only going to pay \$25. I don't think that's a huge detriment to the landlord. Also, we have discussed in our office to possibly do email for the landlord registry fee. But you have to understand that we have to do it on an individual basis. Everybody gets an individual email, so it takes that much time to do it still. And we still have paper copies. That's in a nutshell what I had proposed and given everybody for review. As far as what I feel, the local law that you're having a public hearing on tonight dealt with.

**Deputy Mayor Carley:** Did you write the changes?

**Building Inspector Stickles:** I did not write any of the changes. Dave Donovan took care of the changes. I wrote the memo.

**Deputy Mayor Carley:** Because I see \$10 per apartment.

**Building Inspector Stickles:** Initially it's a \$25 per building. \$10 per apartment. If you bought a building tomorrow, that had four rentals, then you would pay me \$25 plus \$40. You would never pay again.

**Manager Revella:** This is asking for an annual just registration fee for the building regardless of units of \$25 going forward. Initially still the same.

**Deputy Mayor Carley:** I just wanted to make sure.

**Trustee Sebring:** How many new landlords have we gotten in the past year or 2?

**Building Inspector Stickles:** That number I couldn't tell you off the top of my head. They've changed quite a bit in the last 8 to 10 months. Buildings have changed.

**Trustee Sebring:** This is to show that you need this landlord registry because of the number of new landlords that have bought and building.

**Building Inspector Stickles:** Well, we had the land registry in place right now. We have everything in place right now. If you were to purchase this building from the prior owner, you would pay \$25 plus 10. But once you paid that, you would not pay again. Next year when we have to send this landlord registry information out is when the fees that I'm asking for would come into play.

**Trustee Thompson:** It's been brought up about the emailing and I understand what you're saying. I agree with you. I understand you want an electronic record, but you need a paper record as well. Do you think it would be more efficient to do the email? I'm hearing, no. You don't think it will be.

**Building Inspector Stickles:** It probably would be more efficient if everybody provided us with an updated email and kept it updated. But we have some emails that today you have X email and tomorrow you decide you're going to change. And not everybody updates all the information all the time, which you're supposed to.

**Trustee Thompson:** How much work in the Building Department is done via email? Do you have more trouble sending people emails because of incorrect email addresses as opposed to street addresses? Like when you send things in the mail, are you pretty successful getting replies that things are going to the right address, to the right landlord?

**Building Inspector Stickles:** In the world we live in today, email usually goes a lot faster than the mail because I don't know where the mail goes when you put it in the box. However, if you don't have a correct email, it's like I'm not having the correct mailing address. It's not going to go where it's got to go.

**Trustee Thompson:** It almost sounds then like you're feeling the emailing would almost make more work for your department because you still have to have a paper record in addition to an electronic record.

**Building Inspector Stickles:** Maybe in the future when things become a little bit easier and it's a little bit more broken down, email may work, but unless you keep an accurate email in our office, I can't get you.

**Trustee Thompson:** Then you think the way the Building Department is doing it right now works the best for the Village of Walden?

**Building Inspector Stickles:** At this time is the best way it works. We're not opposed to change, it just has to work for us.

**Trustee Pearson:** I did meet with you and Darlene. Thank you for taking the time to do that and explain things to me. I copied out the forms that you sent out to people initially. I do think that it says email address on here. I would like to see the form changed so that your email address is right after your name and address so that you will have that for the future. If these forms are not filled out properly the first time, then I don't think we should send a second one. I think we should just fine the people. If you can't fill out the paperwork and send them in, then why can't you just automatically fine them and add it to their taxes?

**Building Inspector Stickles:** Well, there's a different process you would go through if that's the avenue you wanted to take. You only wanted to send one notice, the next notice would be a violation notice.

**Manager Revella:** And if you're doing that, you definitely can't do it via email.

**Trustee Pearson:** It doesn't sound like they're doing email right now, which I think would be productive. I think it would be good because you're still going to have that copy of them sending it back and print out that copy that they send back. They can still notarize it and send it back to you as a copy. And yes, I agree with you. Paper copy. I love paper copy. I like to write. I like to know I have it, definitely. But I think that to save the stamp, save the envelope. I think that emailing is the next generation that we should be really looking at. And I think we really need to think about talking about it sooner than later.

**Manager Revella:** You have to talk about the cost of data storage then as well. Where it's stored for accessibility, for FOILING as well. We have to be careful of that. Record retention with the state.

**Trustee Pearson:** We have to do that now, with everything that's here. I agree with paper copies. I did some research on some other laws, and I know this isn't part of it, but if we're going to do this, why don't we just do it all the same time if we're going to change things instead of just one thing?

**Attorney Donovan:** Can I just is this still the public hearing?

**Mayor Ramos:** We should keep it to the landlord registry.

**Trustee Pearson:** It is the landlord registry.

**Attorney Donovan:** Typically, you have a public hearing on the item in the public hearing. Then if you're satisfied, you closed a public hearing and then you go into the discussion. You can do whatever you want, but that's the typical way this is.

**Mayor Ramos:** Let's continue with the public hearing on the landlord registry.

**Susan Taylor:** 80 East Ave. I think it's pretty evident, at least since I've been on the board. We've been chewing the same bones for years and years now with the landlord registry being unable to reach landlords, having landlords not respond. I can't remember. Is there any sort of penalty for landlords that don't update the registry? I know that they had to register at a certain point, but is it incumbent upon them if they change their email address, if they change their mailing address, that they have to contact the Building Department? Is there a fine if they don't do that? Does anybody know? How many fines if we levied on landlords?

**Manager Revella:** We have had some in. I'm not sure how many in the last year though. Prior to COVID.

**Building Inspector Stickles:** We had probably 15 landlords here because of not filling out the forms and they were all fined substantial amounts. \$500.

**Susan Taylor:** Okay. Well, it's good to know.

**Trustee Pearson:** Why do they have to go to court? It doesn't say that in the law.

**Mayor Ramos:** It's a violation of the law.

**Trustee Pearson:** It's a violation of the law. But why do they have to go to court if it says you can fine them up to \$500?

**Attorney Donovan:** There's this thing called the United States Constitution. You're entitled to due process. People could say everyone gets their day in court, I submitted it, I mailed it, I emailed it, it got lost, my dog ate it. They get to make their case in front of a judge and the judge gets to decide. That's the way it works.

**Trustee Pearson:** So, it just can't be put on their taxes if they don't do it.

**Attorney Donovan:** So long as they're given due process. Which is an opportunity to be heard and to explain their situation. If they refuse to do that, then the law does allow for relevy. But you have to give people an opportunity to be heard and to have their, quote unquote, day in court. That's what

the law requires.

**Susan Taylor:** I also think I remember that if we had an absentee landlord, there had to be an agent or a representative that lived within a certain distance of the Village that we could contact them if there was an emergency. If we can't get them by email, do they all have these people? Have we ever had the issue where that person wasn't current on their application? Is there a fine for that if they don't update that information?

**Manager Revella:** The same.

**Susan Taylor:** I wish there was an answer and I know Dean tries to do his due diligence. I know COVID interrupted a lot of court proceedings, but it just seems to me that this is the same old story. The same old, as I said before, bone that we chew on and there just has to be a better way. I feel bad for the tenants who have an issue and can't get a hold of the landlord and repairs, whatever the case may be. I remember we had a house that was frozen and we couldn't get a hold of the landlord, I think the fire department was trying to gain entrance. I wish there were better answers, but I'm glad people are at least being fined if they're not in compliance.

**Manager Revella:** It's up to you guys whether you want to leave the public hearing open or close it.

**Attorney Donovan:** If you close it you're not under any obligation. This isn't like a subdivision of site plan. You don't have any obligation to do anything. It's on your business to discuss if you want. And I'm not trying to short circuit anything. It's just generally like a process. You open a public hearing, you get public comment. If you want more public comment, you leave it open. If not, you close it. Again, you can change it, you can modify it, you can think about it, you can throw it in the garbage. It's your law or anything you want to do, but there's generally like a process and try to keep to the process.

**Deputy Mayor Carley:** So, Ms. Matisse brought up a point that I want to go back and look at. Should we keep it open and just have a discussion? I guess we can close it and still do that.

**Attorney Donovan:** If you close the public hearing, you make a substantive change. You have to have another public hearing. It's not the end of the world. You could do that or you could leave it open. And it depends on what kind of modifications. Trustee Pearson, I think, wants to talk about making more comprehensive changes. So that would require a public hearing. If something was brought up tonight, which I was going to talk about under comment, but I'll talk about here that section 221-5, replacing subdivision b somehow incorrect. It's actually not because existing a talks about the registration fee. B talks about registration fee for the required annual filing. Which is the sole change that's being made. That's the request that comes from the Building Department. And as you recall, that request was presented to the board. The board authorized me to prepare local law. I presented the local law. You decided to have a public hearing and now you give public comment. But the only change is requiring a \$25 fee annually for the no change. For right now, there is no requirement for that. I could clarify 221-5 by saying existing subdivision b becomes subdivision c, that's automatic when you write a law. But if you want that clarification, that wouldn't require a new public hearing. Actually, that's already in there. I'm sorry. Section 5 already says that. The new b, is appropriate because it talks about the required annual filing. So it's different than what's in a. And, I'm sorry to do this after I told you to close the hearing, but to go back to purpose and intent, which I'll read, because it's pretty brief, "the current landlord registry law was adopted by the Village Board in 2017. Through the implementation of this law over the past approximately five year period. It has become clear that the imposition of administrative fee to cover the administrative overhead involved with the collection of processing of annual registration forms is appropriate and is in the best interests of the taxpayers of Village of Walden." That's what's behind it.

Trustee Sebring made a motion to keep public hearing open until June 7, 2022, 6:30pm or soon thereafter. Seconded by Trustee Pearson. All ayes. Motion carried.

**Trustee Pearson:** I'm just going to read something that Maybrook has in there and I get that this is just for the \$25, but I think why come back and do it again? Why not do it right the first time?

**Deputy Mayor Carley:** 1 of the things that we brought up before and I was going to bring up in our comments is we have to review our laws and our policies and codes and everything. To really get into the details, I think we should answer with the Building Department, not that I'm trying to tell you any different, but address that and then when we get into the devil of the details review of our policies and codes and all that stuff.

**Trustee Pearson:** I mean there's different ways that people take money from people. One of them was \$175 and it's for 3 years, if you are complying for 3 years, you don't have to pay again for 3 years. Do we want to do something like that? There's other ways to do things. That's what I'm saying. When you do some research on it, there's other ways that we can do things that may make sense for us. I don't know. Maybe then we don't have to send out letters every year. It's a 3 year process or maybe a 2 year process. I want to make sure that this isn't for single family homes as well. We want to make sure that that's not in this and it's just for the residential or 2 or above apartments. There's a lot I have to talk about, but I don't know when you want me to talk about it.

**Deputy Mayor Carley:** I'm not trying to speak for the board. I'm just making a comment from Willy Carley. It's more of let's answer that question and then that opened the door for other questions.

**Trustee Pearson:** Right. But the \$25 could be done differently. Maybe we need to look at that. Maybe you want to do 2 or 3 years at a time and not have to worry about sending and doing something like that. I don't know. If people aren't sending things back anyway and you can still email people. When you send them out, initially you're sending them out and getting that back. You're getting the money back, you're getting that back. And if it's in a 3 year process or a 2 year process, you're not resending. You can always email people to see if there's any changes or tell them to email you changes and then in the second year. I don't know how often they change over for landlords. I don't think it's probably very often, but I think that if we can look at something other than just the \$25 and make it more conducive to everybody.

**Deputy Mayor Carley:** Have you talked to Dean?

**Trustee Pearson:** I talked to him about other things, but I was just reading this today. I found this, if you want to look it up, it's in the Village of Port Chester. Landlord Registry.

**Deputy Mayor Carley:** I'm asking because I'm a big proponent of, it's not his department, but he's over the department and he can say, hey, this what works for us and he's been there for quite a while. There are a whole lot of changes out there. I'm not saying that we shouldn't explore them.

### **Orange County Transit**

**Anthony Mirando:** In terms of the sewer connection, I can tell you Orange County Transit has been bidding out the project for a number of months, trying to get 3 bids. I believe we have 2 in. Both of which present some issues in terms of timing and retaining resource and materials. Hard to get commitment on timing for anybody doing construction. Waiting on another bid. In the meantime, with respect to the site plan, which isn't necessarily this board's jurisdiction review, but I know some people might be interested in it, so I can say, as you know, there's 2 building permits

issued. One of them hopefully will be closed out soon. That's the internal office space to remove the trailer from the middle of the site. Shift the employees into the other facility that already exists. In addition, there's the building permit that's issued for the berm, the drainage, the landscaping and plantings along the eastern edge and as well as replacing the fence in the rear of the site. I can tell you, I spoke with Orange County Transit earlier today because I'm certainly not a construction manager, but they are weeks and weeks out to get the actual materials. So what they have done is try to mobilize and do some work. They did some vegetated clearing. They started to lay things out. They're speaking to their engineers with respect to making sure it's aligned with the Building Department for where it will be placed. I know the Building Inspector has inquired with us about making sure they coordinate with our engineer to do that work. That's all in the works. I understand you're not seeing it, so I can't get where you're coming from. That said, we're hoping those things will be moving along in the next month or so is my hope. I will continue to keep you updated. That's kind of where we are. With respect to the DOT at this point, with the sewer, with the work in the right of way. I think the good news is no news is good news at this point. The DOT did a number of reviews. We have not received further comment since our last submission with respect to proceeding with them. The next thing for us to do is to submit contractor information, which is what we need to be doing.

**Trustee Pearson:** I was at the Planning Board meeting last evening and there were some concerns about the berm and why we haven't started that yet. I believe you got your site plan approval in January. I don't know why the beginning of spring you couldn't really start to move dirt. I know you have to order fence. Where are you in the process of getting the fence?

**Anthony Mirando:** It's ordered. Deposits are made with contractors. I don't want to say a date because I don't want to be wrong, but I would confirm that for you.

**Trustee Pearson:** Was it last week or was it six weeks ago?

**Anthony Mirando:** Anything I say I could be wrong about. I don't want to be wrong, but I don't think it was last week. I think it was earlier than that. Let me make sure I confirm.

**Trustee Pearson:** I think that the neighbors next door, this has been an issue through the Planning Board, Zoning Board, the whole issue was part of that berm, the fencing, taking care of that. And that doesn't really need a lot. You have your site plan approved, you have your permits, you only have three months to start that project. So you really might want to move that along. I think sooner the better. Even if you could just get the berm up and then have to wait for the fence, I think that's going to be conducive for the property owners next door to start something like that.

**Anthony Mirando:** Orange County Transit did ask about that and they're talking to their engineer about that. I think doing a project, half of them stopping for weeks is a problem because you don't want it to not be solidified. You have to do certain planting and I'm going to use the wrong terminology, grass seed and make sure that it holds so you don't do that until you finish the whole project. It's a little tricky because you don't want to get stuck in and have this thing running off. I think there's a little bit of balance, but I agree with you.

**Trustee Pearson:** Well, they're not being good neighbors because this has been an ongoing issue for a year and a half maybe now and with starting the process. I'd like to see something happened quicker than later on that berm and on the fencing. I like to know when it was ordered as well, please. The sewer work. I know you went out to bid and you had two bids, are you rebidding because you didn't like the bids or what's the process for you guys?

**Anthony Mirando:** I'm not personally involved in the bidding process, so I wouldn't comment on

that. But I know that one of them, I believe, was kind of an open ended time frame. So even if you lock it down, it could be months before work would go and then there was some other unreasonable aspects of it, and I'll leave it at that for now.

**Trustee Pearson:** Well, doesn't the same bid go out to the same people? The people pick up a bid packet for doing the same work?

**Anthony Mirando:** I'm not sure about that. I truly don't know if you're meaning like a competitive bid process. It's a private company so I'm not sure that that's the case, but it's outside of my realm, so I don't want to misspeak.

**Trustee Thompson:** I was also at the Planning Board meeting so I heard the same concerns that Trustee Pearson did, the same questions. The other comment that kept coming up last night was the trailers that are butting up against the residential property. Everybody was under the understanding that those were going to be moved like the busses and those trailers over there were going to be moved. They haven't moved at all. Which was one of the concerns and complaints from the people who live on the property on the other side there. They're still sitting there. They serve no purpose. I would like to know, in addition to all these other questions that were asked, I'd like to know about those as well.

**Mayor Ramos:** I think you've got hit with the few requests for information. I'd like to see that sooner than later, especially when you come on a monthly basis. We like to see that in the next 2 weeks, some solidification of project timelines and just food for thought. I know you're pressing DOT for your road cut in, we're going to be paving real soon.

**Manager Revella:** Late-July early August. We're not sure how far out they're going, but it's potential.

**Mayor Ramos:** Make sure that's relayed. Thank you for coming in.

**Manager Revella:** Just to confirm, you said that the facility is receiving municipal water now, correct?

**Anthony Mirando:** Yes. I think we mentioned a few months back that before Orange County Transit closed on the property, apparently a portion of the site was connected to municipal water. As soon as John learned about that, he reached out to the Village to coordinate how to survey that and find out exactly where it is, whether it was working, how it was being operated. So we did that investigation. I think we did it through the Village DPW, Mr. Perna. We did a number of site visits, made sure a meter was connected. Orange County Transit has been paying whatever water bills they are receiving.

**Manager Revella:** Just wanted to make sure, because this board's real concern is you must have the water and sewer hooked up by X date. You have water hooked up. Work on the sewer.

**Anthony Mirando:** Yes. The water is the water is there.

**Manager Revella:** Appreciate it.

**Anthony Mirando:** Thank you.

### **Manager's Report**

**Manager Revella:** Since last meeting I did take some time off, had some family in town, so was

out a couple of days. Had meetings at Olley Park to go over Community Center updates. The sheet rocks all in words. Next is some more finished work getting the flooring in and button up stuff inside. Outside still has to put the retaining walls in and then some other site work to get the parking spaces and sidewalk put in. As people noticed the Oak Street sidewalks and curbing project is full steam. They start at the bottom on the one side, they're up to Capron Street now. They should be finishing up that side this week and starting the other side and then when they're done with that, they'll do the road. Went over some sewer issues with DPW Super including some issues with the pumps at Pine Street with the computer. It was messing up the regulation on the pumps, doing some work there and at the plant. We're getting work done. FEMA's helping us correct an issue when the clarifier was damaged during one of the storms. I had a meeting with FEMA, along with some of the Department Heads to go over those projects. Chief is now a resident of the Village of Walden. We also started some more PD Officer interviews. We have another one tomorrow. Hopefully we get a hire in downstairs soon. Went over the Eagle Scout project at Olley Park along with the trees that were put in. There was a Veterans area flags and some benches put in down Olley Park and then check that out. Came out really nice. I met with the Village Clerk, the Chief and Lovell, our Workers Comp company to go over our experience model and the costs due to injuries in the Police Department. It's hurting our Workers Comp rate. Going to see some cost increases in that over the coming year. Met with the incoming Village Treasurer to go over updates to get the budget filed and to do the tax relevy. She's been working with the Finance Department and with the Building Department to make sure everything's on for the relevy. We will need a special meeting with the board to confirm the tax relevy and the warrant to make sure that's to the county before the end of the month. Met with Trustee Thompson to go over wellhead protection things. They'll be something later and the agenda on that. Had a conference with Special Council and the Clerk went over Worker's Comp and some medical records issues. The Rec and Parks Department assisted Eagle Scout projects at the park. Tennis programs going well. Interviews were set up for summer camp, which we started today and continuing park maintenance and responded to lawn maintenance violations from the Building Department. The Building Inspector issued 5 permits, 5 certificates of compliance, 7 COs since last meeting. Code Enforcement also sent out 31 property maintenance violations for lawns and issued 16 permits for certificates of compliance and issued 2 stop work orders. Clerk's been working on updates, Facebook, website, 207c, communicating with myself and the attorneys on FOILs and personnel, the minutes, helped with the annual report and helping out the Finance Department obviously in absence of the Treasurer, Deputy Treasurer. Public Works has been working on maintenance. Water Department put in since last time 2 meters, 10 mark outs, 2 closings, swapped an end point. Sewer has been working on the issues that I mentioned earlier, Pine Street Pump Station. They actually had to get a different tank down at Tin Brook Pump Station. A lot of work going on there. Responding to a lot of high flow events for rain, alarms at the stations, different things were backing up and been working on repairs to the backhoe so they can get more projects done. The Police Department, obviously still short on staff, has been doing what they can. They did issue 8 traffic summonses, 3 parking summonses, went to 5 mvas and 3 arrests since last meeting and responded to 315 blotters.

**Trustee Sebring:** When you had the mechanic there from JCB, is the machine in pretty good working order now?

**Manager Revella:** It's not. It's going to be repaired with the pistons, so it's usable, but we'll likely need to get a new backhoe next year.

**Trustee Thompson:** Looking at the police report, has anything been happening with the speeding issues on Wait Street and South Montgomery Street?

**Manager Revella:** They do speed patrol as often as they can because of calls and certain calls they're getting, they're not able to sit there for that long. So, they're not getting as much as they

would like, obviously. When you have a call for a domestic or emotionally stressed person, they take precedence.

**Trustee Thompson:** I understand that. But those 2 streets seem to be constantly coming up as issues with speeding. I'm just curious if we've made any headway, if we've given out more tickets than usual on those 2 streets?

**Manager Revella:** They had some special details on those streets when the complaints first came in, and since then, they've been trying to get back. It hasn't happened as frequent because we had other complaints on East Avenue and East Main Street as well, and then trying to go to them as they come up.

**Trustee Thompson:** These 2 particular streets, I hear complaints throughout the community often.

**Manager Revella:** Yes, we got communication about that again as well on South Montgomery. I don't know if you guys received a copy. A resident complained again about it.

**Trustee Thompson:** I have to go back to the Building Department. It says 31 property maintenance violations. And you stated they're all on lawns.

**Manager Revella:** Yes.

**Trustee Thompson:** Again. I guess I always seem to have this disconnect. There's no other property maintenance violations. None.

**Manager Revella:** They issued stop work orders on a couple and people have gotten permits on a couple that would have been property maintenance violations otherwise. There's I know at least 2 properties that would be property maintenance violations for issues on the building, but they got rehab loans. So, I wouldn't cite them since they're doing the rehab on those.

**Trustee Thompson:** Understood. But people come up to me all the time. They drive around the Village. They see things that make them unhappy. I encourage them to contact the Building Department. Whether they do, I don't know. I myself drive around the Village and see a lot of things and I just often wonder how we're doing with the Code Enforcement and to see that there were 31 violations and they were all on lawns.

**Manager Revella:** It's easier to do the lawn ones without having to do much effort because we know there's a number of vacant properties that aren't being maintained. Those are violations automatic and they're quick without having to do much. That's why those are there.

**Trustee Thompson:** I just want to make sure we're being vigilant with this because anybody can drive around the Village and there's some things that really look like it should be addressed.

**Manager Revella:** I do the same. If you do see something that looks like a problem, please just send the address and the issue and we'll make sure to follow up on it.

**Trustee Thompson:** I encourage people to call the Building Department.

**Trustee Pearson:** I did have a question on the 31 violations as well. Those are all lawns. You mean our guys are mowing lawns, basically? What is the cost analysis of our guys mowing lawns and equipment and gas versus hiring out to be mowed when they can be mowing and taking care of our property as opposed to that? Have we done that yet?

**Manager Revella:** It depends on the size of the lawn, but yes.

**Trustee Pearson:** What have the numbers come out to be like?

**Manager Revella:** Hiring a contractor, we don't know. We haven't had a contractor's since the first year I was here.

**Trustee Pearson:** I don't know if the board would even consider that.

**Manager Revella:** It's a lot more costly for the resident, though if you hire a contractor.

**Trustee Pearson:** They have to mow their lawn. You're fining them anyway.

**Manager Revella:** We're fining them for the lawn.

**Trustee Pearson:** You're fining them and we're sending our guys to mow, correct? So, maybe taking our guys and putting them where they need to be instead of mowing other people's lawns will be cost effective to the Village. Just a thought. Maybe we should have the board look at that and just see if that's going to be something that would work. If we want to make a motion out of fact, I'd be happy to make a motion to have that report done up and see if what we could find would cost to hire somebody to do that. Then those homeowners are paying for it anyway. We're not paying out pocket to have the lawn mowing done.

**Manager Revella:** We would we pay up front and then charge the property owner.

**Trustee Pearson:** We're going to get reimbursed. You're going to get that money back anyway. I would like to maybe put that on the agenda or something if we want to talk about it. Orange County Transit, what projects are they working on? I know you went there.

**Manager Revella:** That's the Orange County Transportation Council. That's different. They did a ribbon cutting for the Heritage Trail. That's done it's in Middletown now. There's a next section that's gone beyond. There's some bridge projects just approved. Another one in the City of Newburgh. I don't remember the name of that creek. It's been closed a long time, so they're getting that funding. There's some safe houses, schools, projects that got approved. There's one in Pine Bush, Warwick.

**Deputy Mayor Carley:** Anything related to us?

**Manager Revella:** The only one that we have going on is the one for the paving that's going on. I don't know what date that's going to happen yet. The paving for 52 and 208.

**Trustee Pearson:** When will we know that?

**Manager Revella:** The bids are supposed to be out in June, is what I was told. Once the bids are out and back then we'll have a date for starting. The dates should be in the bid specs. I talked to the regional director to make sure we get some info on that as well.

**Trustee Pearson:** Have you talked about the trees on Oak Street any longer to John?

**Manager Revella:** I asked them again like, can we meet with your landscaper to look at sites and where and how? And he hasn't responded to us again.

**Trustee Pearson:** I'll try and maybe reach out to him again to just to.

**Manager Revella:** I don't know if he's away because he was responding every time we message like immediately and now we have heard from in a week.

**Trustee Pearson:** Anything with the Town of Montgomery grant writer ? Are we taking advantage of that? Do you have anything in place?

**Manager Revella:** Yes, he actually has been e-mailing with me on some opportunities. Back and forth on two different ones and the CFA and the CDBG one as well.

**Trustee Pearson:** Village Hall floors, is there anything for that?

**Manager Revella:** The contractors getting the pricing for the one that we picked out. The bid didn't include a little spot on the first floor from the elevator to the left side. It wasn't in the original bid for some reason. I'm not sure why it was missed. I told him, it needs to be done.

**Trustee Pearson:** Is it including the library as well, or did they have something already planned that they wanted to do? Wouldn't it be conducive to have them all on the same thing?

**Manager Revella:** No. They want some kind of carpet in there for the kids. We're doing the hallway. So, that little bit of square footage is going to change to increase. But the type of tile the board picked out was cheaper than the one it was in the bids that should decrease. Hopefully it balances out. He's checking to make sure.

**Trustee Pearson:** The stairs out back, any news, Dean?

**Building Inspector Stickle:** I have called 5 different painters and I can get nobody to call me back. If anybody knows a commercial painter, please let me know and I'll call them. I've been trying for 2 years to get somebody to do that.

**Trustee Sebring:** What about the new, out on 208, where the Allstate building is. Take a run out here and talk to them directly.

**Trustee Pearson:** We got our police car back that was in for a year. Something happened to that? Was there somebody that ripped off a mirror or something to that, recently?

**Manager Revella:** No. An ambulance. Car 7, an ambulance bumped into the back corner panel.

**Trustee Pearson:** It wasn't the new car.

**Manager Revella:** No, it's not that car. You can see it downstairs. It's like a rub mark on the back corner panel from the ambulance.

**Trustee Pearson:** Tax levy you say is on point to come out?

**Manager Revella:** It's not. She's working on it still. It's a lot and she's hoping to get it done as soon as possible. She's been coming in nights and weekends to work on it and soon as it's done, we need to have a special meeting to approve it. It's a lot of work. She did some preliminary work on the budget and has some information for the board. I believe she is going to be emailing you tonight or tomorrow, all the board members.

**Trustee Sebring:** On the speed device that you borrow from the Town, the trailer. is that capable of taking a picture of the license plate?

**Manager Revella:** I don't know if they have that camera on there for that. I'll ask.

**Trustee Sebring:** I'm asking is that is it within the law that if you use that and they go over the speed limit, say give them 10 miles and then they take a picture of it that you can send them a violation notice.

**Manager Revella:** We don't have that in the law. I don't know if it's only allowed for cities. I know New York City allows it. There was a couple other cities. One city had to be tossed out for unconstitutionality, but I don't know if it got back in. But in New York City, even, it's not a traffic summons. It's a violation. It's an ordinance violation.

**Trustee Sebring:** What I was getting at is that not send them a violation, but send them a notice that you were on North Montgomery Street at such and such a time and you were doing 45. This is just a notice to let you know that you were caught.

**Manager Revella:** There's companies that do that work and they bill for it and they share the revenue with the municipality. Don't know if they can under Village or State law or not. I'll ask.

**Trustee Pearson:** I know that I was asked to fill out my ethics thing. Like there was two things that were missing. I don't know if anybody else has filled out their ethics papers that were supposed to be filled out like 30 days after, you were here every year. Just know that that needs to get done. But also, can somebody tell me the responsibilities of the Secretary of the Recreation Department? I just went through, I just happened to be online again today and in the programs on, on the website, we're still talking about National Night Out, 6K Race, Farmers Market, Zumba, but we don't have those programs still. And I know that we talked about that. We have a secretary, maybe that would be a responsibility of the secretary to update the website.

**Manager Revella:** Only 2 people can update the website.

**Trustee Pearson:** Then maybe they can review it more often than than me reviewing it.

**Trustee Thompson:** Orange County Transportation, they've talked about other trails, the Heritage Trail this trail, that trail. Is there any talk about the Rail Trail?

**Manager Revella:** Our Rail Trail? No, not yet. Alan Sorenson's the head of that department now at the county, and he wrote the grant for our trail. So he is absolutely aware of it and wants to do more with it for connections. Just the connecting the trail south is very difficult for us.

**Trustee Thompson:** But I'm talking about even some of the moneys for repair and maintenance on the Rail Trail.

**Manager Revella:** There hasn't been a request from the Town for it.

**Trustee Thompson:** Well, they did get a grant, but I don't know if they're planning on utilizing any of those funds on the Rail Trail. As far as the county goes, there's nothing planned for our section?

**Manager Revella:** There hasn't been a call for projects at the council level yet either because we still have projects on board a lot of like the bus station project, a lot of busses for bussing, for

transportation, for commuters. That's all being upgraded.

**Trustee Thompson:** We're sorely lacking with public transportation on this side of the county.

**Manager Revella:** They want to help in this part of the county. They're trying to look at ways to do it. They had two different surveys on it.

**Trustee Thompson:** Have we heard any updates or anything new on the Hill Street Bridge.

**Manager Revella:** Zero. We mentioned it when we were at the last board meeting and they kind of moved past it and didn't respond.

**Trustee Thompson:** And you're talking about the grant writer. I'm glad we're going to be utilizing him. I thought we were perhaps going to talk to him about one of the grants that I sent to you.

**Manager Revella:** I sent it to him.

**Trustee Thompson:** Are we anywhere with the charging station? We got the money for that. Are there any plans to get that into place?

**Manager Revella:** We got approved for the money. We don't have the documents yet from the state to do that, to go to bid. The same thing with the EFC funds that we got from the state for the sewer. We don't have anything to even go out to bid with yet.

**Trustee Thompson:** The ethics. I didn't know we have to do that annually. Do we all have to come in and do that annually? I don't have a problem, but I didn't realize that was an annual thing.

**Manager Revella:** The Ethics Board comes and does the review. They should let people know what they have or don't have.

**Trustee Thompson:** It's annual or it's every election cycle.

**Trustee Pearson:** Every year.

**Manager Revella:** We brought it at the board meeting.

**Trustee Pearson:** You have to read article 18 and then you have to sign the paper and you have to fill out stuff.

**Trustee Thompson:** I wasn't aware of that. I'm certainly happy to do that.

#### **Approval of April 27, 2022 Special Meeting Minutes**

Trustee Thompson made a motion to approve the April 27, 2022 Special Meeting Minutes. Seconded by Trustee Sebring. All ayes. Motion carried.

#### **Approval of May 3, 2022, Minutes**

Trustee Sebring made a motion to approve the May 3, 2022 minutes. Seconded by Trustee Thompson. 1 Abstention (Trustee Elliott) Motion carried.

#### **Public Comment**

**Mary Ellen Matise:** Lynn talking about trails, I can send you the contact person for the Orange County Pathways. It's like every 2 months.

**Trustee Thompson:** I've talked to that lady at one of the Association of Towns Dinners.

**Mary Ellen Matise:** I hope you didn't talk to Sharon because she quit. You can participate because I've been hounding them. I've been standing here telling you, I have been hounding them. And it's like we're disconnected from the rest of the county. And the answer John gave was that they said, it's still an active rail line, but there are other types of trails besides Rail Trail and there are other ways to create trails. And we do have Fox Hill and they would be a great asset in doing trail work. So I think we need to keep our mind open on it. I did send everybody, I hope you all got it. The the CEA proposal that's on the CAC website that was proposed to the Town of Montgomery along with the question answer information sheet. In the email that I sent you and I hope that you do it tonight, because Thursday night is the meeting at the Town Board, even if they don't act on it at this point, it's still open public hearing and hopefully you will do something in writing a resolution from this board, supporting a critical environmental area to protect the Tin Brook Aquifer, because well fuel protection and wellhead protection are useless unless you're protecting the whole aquifer. And the CEA is one little baby step in the direction of doing that. The Town may never do it and I've been asking you since 2003. So that's like 19 years already. For an aquifer overlay district, Shawangunk has it, Warwick has one, many other municipalities have it and our Town is just reluctant to go that far. But why don't we start with this and try to get them to approve this and then work from there?

**Patricia Henighan:** I'm the Chairwoman of the Conservation Advisory Council. This is before the Town Board right now, the CAC received a grant from the Hudson River estuary program. To work on a proposal to create a critical environmental area in the town based on information and recommendations in the updated CAC Natural Resources Inventory of 2020 which the Town adopted and the Town Comprehensive Plan of 2021, which also talked about having critical environmental areas. This designation can be given to an area with unique or exceptional characteristics. Local governments are authorized to designate CEA Interstate Environmental Quality Review or SEQR regulation. Many Towns in the Hudson Valley have used these to provide extra protection. For example, in Orange County, the 9 mile stretch of Greenwood Lake, Chadwick Lake in Town of Newburgh and in Ulster County, the Wallkill public water supply in Town of Shawangunk. In Dutchess County, the water supply for Town of Fishkill. So they're not unusual designations. Our committee consisted of three CAC members, the Town Historian Mary Ellen Matise, and the Village of Walden Trustee Lynn Thompson and John Revella also attended a couple of our meetings. We met from June to November 2021. We reviewed all the maps and the suggestions from both the our inventory and the comprehensive plan and other sources. We work with Gretchen Stevens a biologist with Hudsonia. We presented this to the Town Board January 20th, and then we had the first public hearing on April 25th. However, we only were limited to a 20 minute time period and there was no discussion. There were 11 individuals who spoke out in support of this designation. The public hearing is scheduled again for this Thursday, May 19th at 7 p.m. So I am here to urge this board to vote on a resolution to support the CEA proposal as it directly addresses the need for wellhead protection within the Village of Walden. The Village of Walden's 2019 Comprehensive Plan call for overlay districts for wellhead and aquifer protection. This CEA is not as restrictive as an overlay district, but it still requires extra scrutiny of any activities that may take place within the two aquifers. In 2009, a study was conducted entitled Groundwater Protection Plan for the Village of Walden that recommended wellhead protection areas for the wells four through eight with specific feet radii. While this was not adopted, the proposed CEA would provide this protection. It covers exactly that area that was mentioned in that report. The public water supply for the Village of Walden are from the groundwater wells in the sand and gravel of the Tin Brook Valley Aquifer. In addition, the Valley Central School District and businesses along Route 52 and 209 draw water from the Beaver Dam Brook Aquifer. Clean and abundant water supplies are essential to current and future residents, institutions, businesses and industry. As the land development continues in this town. Adoption of the CEA will help to ensure

that impacts water resources and habitats within the critical environmental area are addressed in the planning and reviews of new projects. The Conservation Advisory Council is confident that we can make this happen if we work together to support the establishment of a CEA for the Tin Brook and the Beaver Dam Brook Aquifer. We think it's important to affirm that the Town of Montgomery does have critical environmental areas that should be protected. Please tell the Town Board that you want them to accept this proposal. Thank you for your consideration.

**Susan Taylor:** I noticed the wellhead protection on the agenda. I just want to thank Trustee Thompson, Mary Ellen Matisse and Trustee Pearson for all their years of badgering, threatening and cajoling anybody they could possibly get a hold of. We really appreciate all your work. And maybe now we'll see it to its conclusion. I'm bringing this up because Trustee Thompson mentioned it during her questions for the manager's report. So I think it's fair game now under public comment of business to the board because she made it the business of the board, Hill Street Bridge. Another thing that I was tired of talking about now I'm tired of listening to it. And I think there's three board members, Mayor Ramos, Trustee Sebring, and Trustee Thompson, who probably remember some of a discussion that we had with our attorney during attorney client privilege about some of our options about Hill Street Bridge and I'm just suggesting that maybe with your new board members, you might want to have that discussion again. It seems like we're the only ones that are talking about it. Thanks.

### **Local Law 3 of 2022 – Landlord Registry**

**Manager Revella:** I'm not sure if the board wants to continue discussion or table the public hearing. We'll continue to public hearing to June 7th.

**Trustee Pearson:** I think we should look at the whole law, not just a piece of it. I think that I would like to have a discussion with the Building Department, so I would still like to have that discussion and maybe look at two years or three years instead of every year of compliance for them or certifying their home again. I would like to have a discussion to have the opportunity to talk to them about that before I make a decision.

**Deputy Mayor Carley:** What was that you were going to read earlier?

**Trustee Pearson:** Port Chester has kind of made it easy in the beginning, includes any two or more residents, which we do defined as the state uniform building code and fire code. I don't know if we want to add that. I don't know if it's necessary. Maybe the attorney can guide us on that. Also, there's a filing fee of \$25 and every homeowner and landlord 30 days prior. We have that to. There will be a fee assessed the amount of \$75 for each additional 60 days that a rental property remains unregistered in violation of any registration period defined hereof. So there's a lot of interesting things that maybe will entice people to fill out the paperwork, knowing there's going to be additional fees afterwards. I get it, they can be fined, but if they're not sending it in on time, even, maybe we can put something like that into the law. This one says should be a filing fee of \$150 per rental property, which shall be paid with the filing of the landlord registration statement. The Registry Authority shall be authorized to waive the above filing fee as long as the landlord registration statement is received by the Registry Authority within 90 days of the effective date or within 90 days of landlord receipt of the Certificate of Occupancy for new constructed units. There was another one that talked about the filing every couple of years. Which kind of makes sense to me. I don't know how everybody feels about that, but I don't know how often they change. I said I'd like to talk to Dean about how he feels, whether things change often or whether the landlords stay pretty consistent. We're always going to have absentee landlords. When I spoke to them today or yesterday, there's initials that go out where you talked about the \$10 per unit plus the \$25 as your initial fee that you're paying. They're looking for \$25 every year to send out more notices to see if there's changes because people are not sending in their changes automatically. Maybe there's a way

that we can put a fee on something that needs to say every year you need to do this, or you're going to have a fee, a different fee, not the \$25, instead of making them responsible to renew it as opposed to us sending stuff out. I don't know if it's worth a try. I'd like to talk to them about it first. I was just looking at some of this other information today. I'd be happy to keep the public hearing open. I don't think there's an urgency to do it. I know that it's been three years now and nothing's been done anyway that he's been talking about this. So maybe we can look a little further. I feel that if we're going to do it, do it all at once. Do it right. Look at the whole law instead of just do part of it. I get, Willie, where you're coming from that we want to look at it, but then there's one less we have to do when we go to look at the other policies and laws.

**Manager Revella:** You said something about if you are 30 or 60 days late, our code now, if it's every week, it's a \$500 fine to \$1000.

**Trustee Pearson:** Not if you are not sending it in.

**Manager Revella:** Yes, it's a violation. Every week.

**Trustee Pearson:** Then why do we need anything more than that?

**Manager Revella:** But it's up to the judge to set the fine.

**Trustee Pearson:** We still have to send them the notice to be come before the court. So, why aren't we doing that if there's issues?

**Manager Revella:** I know that the reason why they wanted the annual is because people do change a lot of information. Email, address, phone numbers are pretty often. That's why they wanted that frequency at least annually, so they can have that information for when they do fire and safety inspections or for whatever might come up.

**Trustee Pearson:** I get it.

**Trustee Thompson:** Listening to what Dean had to say, though, about in the last, say, 12 to 24 months, we've had a lot of different landlords. There have been a lot of changes. I think for our Village, with the amount of rental property that we have, I think to wait every 2 to 3 years is just not reasonable. I think we need to do it annually. That's just my opinion. I am open to doing a little more investigation to see how other communities do it. I think we also need to match the communities most like ours with the percentage of rental properties, population. I think the demographic needs to be a little common if we're going to make an actual comparison of how other places are doing it. I think we need to find a community that's a lot like ours.

**Trustee Elliott:** I just have a quick question. If you fine them, and they don't pay the fine, what happens?

**Attorney Donovan:** You got to go to court, found guilty. It can be a civil penalty, can be a judgment reduced, filed against any property that you own. There may be other enforcement mechanisms I can't think of off top of my head, but that's typically what happens. It's reduced to a judgment. It's filed just like any other civil judgment.

**Trustee Elliott:** Does it have to be a fine, though? Outside of a criminal thing, can it just be like if you don't pay a garbage bill it gets added to your taxes.

**Manager Revella:** It can be levied.

**Trustee Elliott:** I think that would make the most sense and it saves us the court and everything else.

**Manager Revella:** The court has to do it first and then it has to go to court first and then we can levy it.

**Attorney Donovan:** To be clear, the fees that are supposed to be paid, they can be levied if they're not paid. Fines can't be levied. They get reduced to judgment and are filed so it wouldn't be collecting the taxes. It would be a judgment against someone. Just like any other civil judgment. Kind of two separate things.

**Deputy Mayor Carley:** I agree that we should review the whole policy and go over it as a Trustee Pearson said and I just don't know, Dean, maybe you can speak to it. Is there a reason why it is now for the \$25, fee?

**Manager Revella:** Not right now.

**Deputy Mayor Carley:** We could review the policy in the whole nine yards and then come back to that?

**Manager Revella:** Yes. We need to have the law in place, I think it's April, so we have time.

**Attorney Donovan:** You've kept open the public hearing on the local law as drafted. If you want to change that local law, would you have the absolute right to do that as a new notice, a new public hearing.

**Deputy Mayor Carley:** We have to close this one. And then once we start reviewing everything, we have to open a new one.

**Manager Revella:** If you're going to make substantive changes.

**Attorney Donovan:** Generally you have a public hearing on a local law to get public input. If you have public input, which I think \*inaudible\* close public hearing. Unless you want more public input on the issue of local law and then after you have that, you're in a position to make a determination. Yes, we like this local law. No, my God what we're thinking about, we hate this local or we want to change a local law. You could continue the public hearing. You don't ever have to vote on this type of local law. You could just go off into where, you know, Indiana Jones and the Raiders of the Lost Ark within that room and just go there and stay there. You don't have to do anything. If you want to change it and you say, listen, we're going to try to redo this whole thing. Then it's a new public hearing, it's a new local law.

**Deputy Mayor Carley:** Just listening to the whole thing. I think it's something that we do need to review just a little bit further, make sure and back to what I was saying earlier about all our laws and policies and make sure they are dated as much as possible to this century.

**Mayor Ramos:** I think everybody's hit everything just right. I'm agreeable to three years. I'm agreeable to every year. Once we get our homework done, we'll continue with dialog and forge through this local law.

#### **MS4**

**Manager Revella:** Just so the public's where our annual MS4 report has been posted to the Village

website for comment and review as required by law. It just says that our community is diligent and cognizant of the issues of storm water and its effects on the community and runoff into local ponds, streams, waterways, things like that. For example, when someone's doing a project and disturbing the soil, we need some usually soil barriers to make sure there's not just mud running down the street that is holding the soil and so it doesn't cause turbidity in water downstream. So we have a higher standard in our community as opposed to other ones that aren't participating in MS4.

**Trustee Pearson:** Last page, number 11. Does that mean we don't have the pet waste program? I know we have pet bags. Is that a program that we do? We can't count that because I mean, we put pet bags out for people at the parks. I didn't know why that wouldn't be acceptable. We're spending money on it.

**Manager Revella:** I don't know if it's an actual counts as a program. I have to ask.

**Trustee Thompson:** If that's the case, number 10 then becomes an issue also.

**Mayor Ramos:** I do have a comment and it was written by Miss Brenda Adams. This was subsequent to a board meeting that we had on May 18th, 2021. It was the first public session. Page three where MS4 was referred to. This was a follow up on May 4th, 2021, and it indicates on page five of six. Number six. That were comments received during this reporting period. Initially it stated no, but there will be a correction to the MS4 document as it stands that Mrs. Adams comments were received and she still feels that the street sweeper could be more effective in the neighborhood of Valley Avenue, where only one side of the street gets swept. The Village is only 50% effective. Plus, the largest storm sewer is a no sweep side in the neighborhoods where there is parking on both sides of the street. Sweeping is a hit and miss.

**Manager Revella:** I will tell Queenan about it.

**Mayor Ramos:** Thank you.

### **CDBG – Set Public Hearing**

**Manager Revella:** It's up to the board to decide on June 7th, I hope. Give some options. I'll have the engineer here to talk about what he thinks should be some priorities to help us.

Deputy Mayor Carley made a motion to set public hearing for CDBG on June 7, 2022 at 6:30 or soon thereafter. Seconded by Trustee Sebring. All ayes. Motion carried.

### **Discussion – CEA/Well Head Protection**

Trustee Pearson made a motion to send a resolution to the Town of Montgomery in support of the CEA. Seconded by Trustee Thompson. All ayes. Motion carried.

### **Discussion – OLI Zone**

**Manager Revella:** The property owner mentioned some concerns when he was marketing his property and said, wait a minute, I looked at the comp plan and your code and something's not right. So the board had asked Dave to look at that and give a memo on what the concerns were and what should have been in there and he sent that memo to all the board members.

**Attorney Donovan:** Basically I actually said to John with his draft, John said it was okay, I never took the draft off. But basically the board asked for my input. They're going from lot coverage to 30% to 40%. Is that consistent? Is that a good idea? I took a look at your comp plan, which actually recommends increases in all the coverage in the OLI. I did speak to your Village Planner who echoed that. I did take a look at the zoning ordinances for the Village of Maybrook, Village of

Montgomery, the Village of Goshen, just similar Villages, to see what their development coverage was. The conclusion that I provide is that going from 30% to 40% is consistent to both with your comprehensive plan recommendation of your planner. And what I see in similarly situated zones in those other three villages. So, if you want to proceed with that, it would be a local law. You could authorize me to prepare a local law. Again, that's up to you. If you think about it, you can decide to go ahead and do that. I would bring it back to you. You'd have to decide. Hey, this looks good for now. We'll have a public hearing, get public input. It would get referred to the your Planning Board because the change to the to the zoning ordinance as opposed to the land registry, that would get referred to the Planning Board to the county planning department as well to get their input. And then you would have to have that back for a public hearing and you could make a determination.

Trustee Elliott made a motion direct the Village Attorney to prepare local law for a OLI to increase lot coverage from 30% to 40% as consistent with your comprehensive plan. Seconded by Deputy Mayor Carley. All ayes. Motion Carried.

**Trustee Pearson:** I'm not sure if I'm understanding, if I'm looking at this map that's kind of here and is he's got X's through this part of the property. Does that mean that the development, the housing development that he's talking about is going to be realigned so that that line now comes back to where it was? So this housing development will no longer be here? Is that what he's trying to do?

**Manager Revella:** It doesn't matter what he's trying to do there. The OLI is what we're focused on. The X is where that initial subdivision plan went into that lot. I'm not sure.

**Trustee Pearson:** But he has an approval for that lot that subdivision.

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

**Trustee Pearson:** But if he's changing the lot line is going to change the houses in that property.

**Manager Revella:** That's not our problem. We're changing it for the zone, all OLI. Not just one lot. That's what we have to focus on.

**Trustee Pearson:** Where else do we have OLI?

**Manager Revella:** Edmunds Lane.

**Trustee Pearson:** That's it?

**Manager Revella:** That goes through the other side of Coldenham Road as well. Ampac to Truffa, that way. We want more development of industry in business instead of people in the school district, I would think. I'll get all the lots for OLI.

#### **Resolution 16-21-22 – Accepting Youth Bureau Funds**

**Manager Revella:** Recreation & Parks Department was awarded a grant from the Orange County Youth Bureau to help with the summer camp program to offset the costs to our Village. Since we do subsidize a lot to make sure our youth have something to do in the summer, and we do have some families that can't really afford it. So we keep the program affordable. We were given \$4,215 in County Solutions Money and \$7,785 YDP Money. \$12,000 total.

Trustee Sebring made a motion to approve Resolution 16-21-22 Acceptation Youth Bureau Funds. Seconded by Trustee Pearson. All ayes. Motion carried.

**Mayor Ramos:** I just want to make a comment that this is nearly \$7,000 more than we've received historically. Kudos to Mr. Bliss and his dialog with the Youth Bureau and getting this program its due for the Village of Walden and I want to thank them.

### **Public Comment**

**Mary Ellen Matise:** CDBG, are they still doing the three year grants?

**Manager Revella:** They do have the option one year or three year. Yes.

**Mary Ellen Matise:** Because maybe if we're losing so many districts and who knows how long will hold on to this one district. Maybe you should go for the three year grant and get a big amount of money.

**Manager Revella:** It should hold for ten years till next census.

**Mary Ellen Matise:** Maybe that's the way to go this year and try to just get more money out of them right now. Anything happening about the ambulance and ambulance service for 2023? I hear some people went to the ambulance board meeting, but are you meeting with them separately or are you talking about a contract with anybody? It's already end of May.

**Mayor Ramos:** We'll have it in the miscellaneous comments for the Board of Trustees.

**Mary Ellen Matise:** I'd like to go back to this thing about an emergency management plan. If the plan that we have is a very complicated plan that's meant for Village employees, I would like to suggest that we have a plan for the public and which is what is online. All of the ones that I did send you, all the links that I sent you. These are all online and they're plans for the public and specific to our local. We have issues. Tin Brook flooding is a big issue in the Village of Walden has been historically. 1955 was the big one. The big flood that they had that flooded most of Wooster's Grove and George Heights house and everything else. Why wouldn't we have it doesn't have to be 75 pages, but why wouldn't we have a plan for the public? Especially because we have a lot of first responders who live in the Village and it would just make it make sense. And also have you guys done your NIMS training?

### **Payment of Audited Bills**

Trustee Elliott made a motion to pay audited bills. Seconded by Trustee Sebring. All ayes. Motion carried.

### **Correspondence**

**Trustee Pearson:** Just the email from Brenda Adams. I got the American Legion for the parade on Memorial Day and the NYCOM update email I received as well. And Mary Ellen's.

**Trustee Elliott:** I received the same.

**Trustee Thompson:** I also had Brenda Adams, Mary Ellen Matise, the parade. I had several emails from Mrs. Winum about beautification in the Village. I don't remember if it was, I don't know if I just noticed the email or I missed at the last meeting, but I had an email from one of the candidates we interviewed for the Treasurer position to say thank you. I received emails from Mr. Ciardullo regarding the lateral lines and some insurance policies which I assured him we would have a discussion at some time. I wasn't able to tell him when I said I would meet with you. The invitation with the parade.

**Trustee Sebring:** I got one from Mr. Ciardullo. Then I got another one here from Douglas Muller. He said that he saw that I was a Trustee of Walden Police Department and thought this would be relevant to you. It's the acoustic gunshot detection system. I just keep ignoring it because we don't have gang wars where there's any shooting in our Village. I just keep ignoring.

**Deputy Mayor Carley:** No correspondence other than what has already been stated.

**Mayor Ramos:** I received correspondence from Miss Brenda Adams. I also received correspondence from Mr. Bill Kiernan, Commander American Legion Post 158. \*read letter into minutes\* I also have an invite for the Walden Historical Society of Walden and Wallkill Valley Presents Speaker Ray Kelly, a slide program on the trolley that ran from Newburgh to Walden. Mr. Kelly is a trolley historian and a member of the Owen W Railroad Historical Society. May 18th, which is tomorrow, 7:30 p.m. here in Walden Municipal Building. Bradley Room, third floor. Light refreshments will be served. At this point, I will defer to those who sat in front of the ambulance meeting. We did have a Zoom meeting with the two consultants that have been secured by the Town of Montgomery. They didn't have much for us to say than that they're not receiving as much information from the areas of interest in the Town of Montgomery. They're going to have their briefing or their report done by mid-June before the Town. We will post that meeting time and date so that we can have participation at their meeting.

**Trustee Pearson:** I thought it found it interesting that they did say that mobile life is now no longer transporting between hospitals. They're just picking up patients where needed. They have another service that they transport between hospitals. If you need to go to one hospital to another or from home to a hospital, they have that service. They're no longer doing that. They were going to talk about a building. I didn't stay for that part of it. My one question was, is how would they prefer this ambulance to work within the Town of Montgomery? And they said that they would like it to be a contract with the Town, is what they said. I don't know what the Town is planning. I don't know what's happening. That's what they would like to do. I found it interesting that the monies that would be raised through the tax district would pay, but then they still also to run the ambulance still have to use the funding that they get from their billing and also from their donations to make the whole package run. So they need all three of those entities. I ask the question, what would happen, who is going to decide what billing comes in to where that money is going? Because if they do the district, so they couldn't answer that question. They were hoping that they would be able to happen to keep that so they'd be able to keep going with the ambulance. But I think that's a big issue that might be coming up. They were very gracious and very cordial. They were nice as pie. I had questions and they showed the new ambulance that they just got. It's beautiful.

**Trustee Sebring:** The reason that they picked the contract with the Town was that if they were to go to CSEA for hiring, if there's no lists, you got to put it out there, you got to wait for the list to be drawn up by the county, you got to wait for the test and then you got to interview your applicants and then if there's a problem to where they don't work out, then it takes so long to get rid of them. For the best for operation of the Ambulance Corp, they chose a contract. Instead of a civil service.

**Trustee Pearson:** That's what they're hoping for. I just happened to ask the question and they gave me the reasons why, which I thought was. The Ambulance Corps. I have not talked to the Town.

**Trustee Sebring:** The Ambulance Corps wants the contract.

**Trustee Pearson:** Correct.

**Deputy Mayor Carley:** The issue was in the beginning they were kind of on board with being part of a system versus now we don't want to be a part of the system. We want to be a contract.

**Trustee Thompson:** Right. And I'm John if I got what you got out of the meeting with the consultants, there are no answers to that yet. That's all going to be information that they're going to recommend. That'll be part of what they recommend to the Town of how to set this up and run this.

**Mayor Ramos:** They'll have to forms. We got the same we got the same deer in the headlights look.

**Trustee Sebring:** That was a question that they had asked Becky and I when we were there, that when we was on the Zoom call, that there was really no information that was even pertinent for us being there. But we were there.

**Trustee Sebring:** So, the same questions we had originally, they still don't have answers to. And none of the fire department responded back to them.

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

**Trustee Thompson:** I would like to ask a question about the way we're running public comment at our meetings. Mayor, you set the agenda, it's your meeting. I find, myself included, I did it tonight. Public comment is public comment and we seem to engage in dialog with the community. I'm just wondering if that's appropriate or if we need to stay with public comment and not engage in ongoing dialog with the community. I know we don't even have to have public comment. I'm very uncomfortable with not having it because I think our residents deserve to express their feelings, good or bad, to us. It's a little troubling to me that we're constantly engaging. My other question is, we've often put a time constraint on how long we allow people to speak. I personally don't care if it's a minute, 2 minutes, 3 minutes, 5 minutes, but I feel like we need to set a standard and everybody gets the same amount of time. I feel like we've been a little off on that lately. It seems like some people go way over the three minute mark and others stick to it or stay below it. I feel like if we're going to set a time limit, what's good for one should be good for all. It's come up several times about tri-board meetings. As far as I know, there's been no discussion between the Village Board, the Planning Board and the Zoning Board about sitting down, even if it's twice a year to go over things so we all know where we're at. And it's also come up before to have periodic reviews of the comp plan, which again, the CEA, things like that, the water overlay, it's in the comp plan, but we've not we've not addressed it. The zoning changes, those we have addressed. But there are a lot of things I think, John, you would agree in the comp plan, we say we're going to do them and they're on paper, but we don't always do them. I wonder if sometimes it's because we don't review them. Are we going to be able to have our full complement of children at summer rec? I'm hearing a lot of rumors that they're having great difficulty getting counselors. I hope kids show up. Young people, adults, whoever. I hope they show up. I hope they fill out applications. I hope we can get staffed to the max so we don't have to limit the number of children that can participate in our program.

**Trustee Elliott:** I would like to make a motion that we get a clock. Like a time clock for, I believe it's 3 minutes. And then we set that clock.

**Attorney Donovan:** Like so in a galaxy far away a long, long time ago. I actually, a period of temporary insanity was elected to the county legislature and I served the term in the middle 90s and God rest her soul. Roberta Murphy was the Chair. She had an egg timer. And it would tick tick tick 3 minutes and when your time was up, man, your time was up! Exit stage left. I don't know if you want to do that. NYCOM has model rules that are out there. NYCOM will also tell you, except for a public hearing, you're not required a public comment. When someone's in front of you saying how great you are, you always want to let them go longer and engage with them. I would just say, I'm big into the process, a better course of running a meeting is have people make their comments and

then you consider those comments and then the board debates those comments. You have a conversation about those comments. There's also, I think it's a difficult turf here, but there's been some kind of difficult comments made by members of the public, specifically targeted members of the board, sometimes at the Mayor, sometimes members of the board. You can adopt rules that restrict the decorum and prohibit ad hominem or personal attacks on people. It troubles me. Collectively, you are my client. I kind of want to jump out of my skin. You want to make sure people exercise and have their First Amendment rights. But I kind of want to jump out of my skin when one of my clients is being personally attacked. I can give you the NYCOM suggested guidelines. There would be some you could consider it and would vote on. So there they are official guidelines that you can always change the official guidelines and you got to adhere to them. Because years ago, in a similar situation, the Village of Goshen adopted the guidelines and they lasted for three meetings and then they threw out the window. So it wasn't really helpful at all. But I can provide that from NYCOM, but I think, some sort of just not necessarily back and forth debate the comment is good and you can think about it and observe that comment, some sort of limitation and some sort of rules of decorum because it doesn't sit right with me. I don't think it's fair that the people up here making anybody, no one on the board should criticize someone personally in the audience. And I don't think that you, my clients, should be criticized in that fashion. It kind of offends my sensibilities just as a human being.

**Mayor Ramos:** Duly noted. Thank you.

**Trustee Elliott:** That's kind of my reason for it. You get 3 minutes and then the buzzer goes off.

**Trustee Pearson:** I have a concern about the executive session. You know how I like executive session. An issue that might have come out of executive session that was at the last meeting when we had on the agenda. We had the Treasurer on the agenda with nothing stating what it was, what was happening, no appointment, it just said Treasurer on the agenda. I feel that things were spoken about the new Treasurer coming in that were done before anyone really knew there was an appointment and things were happening that was talked about in an executive session. I have a major issue with that. I think that executive session is what it's for. You are there and you are talking about people and individuals and that somehow the public learns about what's happening and it's talked about in public before we even voted on appointing someone. For me, I have a big issue that there was a breach of executive session at last meeting and I find it appalling that that would happen, especially for the issues that were happening. I think it's sickening. I'm the executive person because I always say, how are we going in? What are we talking about? I'm all about that and the confidences that you have in executive session. And that apparently didn't happen because people in the audience knew about what was happening before that meeting happened. I feel bad for us because of that's what's happening somebody breached that confidence in an executive session. So that's my point. Thank you.

**Deputy Mayor Carley:** I have several comments and just to clarify, I agree with the executive side. If we speak in private, it's not to be nontransparent, but there's certain things that we don't put in public that we have to discuss. Village business and it should be honored 100%. Secondly, I tried that several years ago when I was first elected to the board talking about structure to that point. I got shot down, of course, but it was all about let people speak. I agree that there should be some structure to that.

**Trustee Elliott:** I think they should speak too, but for 3 minutes.

**Trustee Pearson:** I like when people speak nicely. Not berating people.

**Deputy Mayor Carley:** I agree with that and with structure. One of the things I want to just kind of

bring up that we talked about before and I think it went into the landlord registry is that we do our review of the policies and the local laws and things that so we can make sure things are updated as much as possible and this would be a good one to start with and just continue to go down that road. Secondly, if we can kind of kick start this Walden Business Association and kind of reignite that and get to the business part of Walden back together and see if they're willing to talk and have a meeting. I don't know how you really want to press through the mayor or through the Village Manager or both, where we start with that so we can start moving. If we can do that in the near future. I brought up about the Carolyn Wesenberg, we talk about the bookstore and volunteering, if we can go ahead and start that and kind of work with her regarding the scout cabin.

**Manager Revella:** I don't know if it was talked about a board meeting or not, but there was comment made that we didn't want to make competition for a store on Main Street. I'm not sure if you want to talk about that or not.

**Deputy Mayor Carley:** That's a good point. I didn't think about that. You're right. I'll bring that up a little bit more just to kind of clarify that and then I'll bring it back to the board. The land registry, I think we talked about. Is parking enforcement, are we still doing that?

**Manager Revella:** I was required by the union contract to post a position for ten days internally, which I did. The posting expires on May 20th. Then I'll post for general. Already had some applications from general, but I can't set them officially until after. The union has first right.

**Deputy Mayor Carley:** Thank you for the update for the ambulance consultant. I look forward to seeing that. Once again, kudos to Mayor and everyone else who supported saying do your due diligence. It's proven that the due diligence wasn't done. However, I still believe we all can still work together, but this is evident that there's further work that needs to be done concerning the Ambulance Corps. I'm kind of shocked that they were speak more to contract versus employees working together. So with the CDBG, I look forward to hearing that because if we're still talking about beautification of the area, I don't know if it was just to that one street, maybe that one street, we can use that to beautify as much as possible with the project, which I think is good. In regards to a Ms Maise EM plan for the public, we could put together something if the Village is open to it. I think it's really important not to over communicate, but you can point to some programs that's already out there that you're not trying to make more. I'd be willing to help with that. Periodic review of the comp plan, I think exactly needs to be done. Also the tri-board, going to bring it up. We're kicking the can down the road. We can get this on to the agenda as soon as possible and then figure out what we want to do. I like the every six months personally, but, as a board, we have to figure out what we want to do versus once a year.

**Manager Revella:** The board has to direct the Clerk and I to coordinate that date for the three boards to get together, that's fine.

**Mayor Ramos:** Everyone's absolutely right. 3 minutes is 3 minutes. I was at the Sullivan County legislator on Tuesday and they have a clock on their podium and after 3 minutes, the mic is off, period. You're absolutely right, but my experience in dealing with First Amendment rights violations on occasion in my career, I enjoy listening to people talk. Degrading is not the right way to do it, but dialog is important. If I'm going to hold you to 3 minutes, I'll be happy to talk off line and doing something else. But you're absolutely right, everyone. I've been remiss and in holding the number of speakers that we had to 3 minutes, so we'll take care of that. This morning I attended the Bruderhof Bellville breakfast where a lot of public figures, first responders all attended. Obviously it was touching. I had a friend of mine there who lost his daughter a month ago, and he stood strong and he stood up and he did the right thing. The Bruderhof definitely made him feel welcomed.

Adjourn

**Village of Walden Board of Trustees  
Regular Meeting  
May 17, 2022  
Motions & Resolutions**

**Public Hearing – Local Law 3 of 2022 -Landlord Registry**

Deputy Mayor Carley made a motion to open Public Hearing. Seconded by Trustee Sebring. All ayes. Motion carried.

Trustee Sebring made a motion to keep public hearing open until June 7, 2022, 6:30pm or soon thereafter. Seconded by Trustee Pearson. All ayes. Motion carried.

**Approval of April 27, 2022 Special Meeting Minutes**

Trustee Thompson made a motion to approve the April 27, 2022 Special Meeting Minutes. Seconded by Trustee Sebring. All ayes. Motion carried.

**Approval of May 3, 2022, Minutes**

Trustee Sebring made a motion to approve the May 3, 2022 minutes. Seconded by Trustee Thompson. 1 Abstention (Trustee Elliott) Motion carried.

**CDBG – Set Public Hearing**

Deputy Mayor Carley made a motion to set public hearing for CDBG on June 7, 2022 at 6:30 or soon thereafter. Seconded by Trustee Sebring. All ayes. Motion carried.

**Discussion – CEA/Well Head Protection**

Trustee Pearson made a motion to send a resolution to the Town of Montgomery in support of the CEA. Seconded by Trustee Thompson. All ayes. Motion carried.

**Discussion – OLI Zone**

Trustee Elliott made a motion direct the Village Attorney to prepare local law for a OLI to increase lot coverage from 30% to 40% as consistent with your comprehensive plan. Seconded by Deputy Mayor Carley. All ayes. Motion Carried.

**Resolution 16-21-22 – Accepting Youth Bureau Funds**

Trustee Sebring made a motion to approve Resolution 16-21-22 Acceptation Youth Bureau Funds. Seconded by Trustee Pearson. All ayes. Motion carried.

**Payment of Audited Bills**

Trustee Elliott made a motion to pay audited bills. Seconded by Trustee Sebring. All ayes. Motion carried.