

**Village of Walden
Board of Trustees Regular Meeting
December 6, 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	
	Trustees	Lynn Thompson Becky Pearson Patricia Maher

Absent:	Willie Carley Brian Sebring John Elliott
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Also Present:	John Revella, Village Manager Marisa Kraus, Village Clerk Kelly A Kelly, Village Treasurer Dave Donovan, Village Attorney
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Village Manager's Report

Manager Revella: We had a meeting on the end of Liberty Street with a representative from the USDA, the Mayor and the Town Historian, in regards to potential gravesites. We'll see when they come back in the spring if there's anything there. We had a meeting with the bank rep. The Treasurer met with Matt from Orange County Trust about the lockbox and going to that set up in our March billing, should be great. Went over CSEA and PBA matters with special counsel. Got some more orders in for the community center. Paving should be Thursday for the ADA spots so we can get our CO, weather permitting. Had a meeting with the Greater Montgomery Chamber Exec. Where we talked about our Welcome Packet and how that works and shared some insight into what's going on in Walden. Also had a meeting with the IDA for the Town of Montgomery this week on Monday about things happening in Walden and they're pretty excited about it and are willing to help. Went to the Manager Association meeting down in Westchester. The Westchester County executive came and talked about green initiatives and upcoming state legislation and funding. We got some of that information from NYCOM as well. Went over the grant with the grant writer for updates. There's another meeting on Thursday morning about that. Went over our accounts, bank reqs with the Treasurer. Reviewed staffing and budget with Chief and DPW Superintendent regarding personnel and filling in holes. Went over issues with the Building Department. Code Enforcement Officer and what they're doing going forward and what the engineering firm can do for us to help. Also met with the Orange County Historian, discussed the Revolutionary War Committee and what kind of things are happening in the area and ways to participate. Covered for DPW during his time off. Rec and Parks Department, they have indoor soccer going on now. Basketball registration is up. The tree and decorations are up. The lighting ceremony will be on Thursday starting at 6:30. Teen Center and after school is going well. The Code Enforcement Officer is the only one working over there right now, we don't have another employee yet, but he had issued 19 building permits, 17 certificate of compliance, 16 fire and safety inspections, conducted 4 landlord registry violations issued and there's 3 matters still pending before the Court. Clerk is still going over items for the Workers Comp with us, 207c. Actually got a certificate of achievement for the Village having no reportable Worker's Compensation claims for a year. July 1, 2020 to July 1, 2021. No claims. It's pretty good. The Clerk posted the calendar. Quarterly bills are out. Working on permits, invoices, assisted at the counter. Treasurer did a lot of

the same helping out the counter, responding to issues on the phone. We did have the advertisement out for a part time employee that was due back on the 2nd. We're still searching. Set up the positive pay for new accounts. Working on the prior year end reports in Edmunds. Public Works, busy doing everything as usual. Had some issues at the sewer plant. The heater actually blew in the press room, so that's got to get replaced. They go out because there is so much moisture in there from the press that the heaters actually spoil every couple of years. So they're working on a better system with the electrician. The water department replaced 16 meters, 4 endpoints, 21 mark outs were done, 1 inspection and 5 closings. Well 8, we're still waiting for a part to restart that well. They did the meter readings for the last quarter. They're still repairing and fixing roads and sidewalks as they can and catch basins. They helped to get the tree and set it up and decorate for the holidays. Flushing and jetting. We did have some labor management issues to review and that department things have been resolved, did have a resignation and a rehire to replace in that department as well. They'll be introduced in a meeting soon to come. They did some tree trimming for the plow trucks to make sure there's room. Police Department still having issues with staffing. Hopefully the test results come out soon, then we can get some more staff in, but our full time staff, we don't have technically any openings full time right now. We're full. 15 traffic tickets were issued, 7 parking summonses. There were 7 mvas, 9 arrests and 33 vehicle stops. 487 blotters since last meeting.

Trustee Thompson: We have not even begun interviewing for the part time assistant?

Manager Revella: No. We didn't get any applications.

Trustee Thompson: Working on prior year end reports with Edmunds. What does that mean?

Manager Revella: The year that ended in 2021, there was some reports that have to be done to close the year out. Those weren't done to close the year out in order to do the audit to start 2022. Were in technically the 2023 year end in this year. So that's 2 years ago report that's not finished. That's what she's trying to complete still. She can only do that when the system is actually down because to do the work in there, Edmunds has to be in the prior year so nobody else can be in the system. It's kind of hard for her. She has to do it after hours.

Trustee Thompson: That is that is still leftover work from previous that is still being caught up?

Manager Revella: Correct.

Trustee Thompson: For the Police Department, what has happened with the heat down there? There's nothing in the report. Is that still an ongoing issue? Can you share what's happening to try and correct that?

Manager Revella: Yes. We got quotes waiting for the company that's been doing the service. They gave us a quote on another option that's less intrusive to the department because the one will be a lot of work. They'll have to close down a couple of the rooms. Trying not to do that because they don't really have an alternative to be in the station. So, we're trying to work on another solution to get that fixed without having to get everybody out of the room.

Trustee Thompson: So in the meantime, have we come up with something else to help the employees feel more comfortable?

Manager Revella: There's a portable air conditioner in there right now.

Trustee Thompson: I hope we can get that attended to sooner rather than later. We haven't talked about it in a very long time. How is the assignment going with Walden Elementary School?

Manager Revella: Everything is going smoothly so far, thankfully. There was a minor incident there yesterday that we had to attend to. Everything went smoothly.

Trustee Thompson: School administration is happy. Police Department is happy. Village residents are happy.

Manager Revella: Definitely. We actually had some inquiries from village residents about students that go to MPB to try and assist there as well.

Trustee Thompson: As far as the programs with parks, are most of the children that are enrolled in the indoor soccer program and the basketball program, are the majority of the children from the village?

Manager Revella: I would have to run the report to find out. I don't know. We can check on the sports engine. It'll show us, but I don't know off the top of my head.

Trustee Thompson: Just curious if our children are taking good advantage of the programs we offer or if a large percentage of those kids are coming from outside of the village.

Manager Revella: The majority is usually from village residents, from all of our programs.

Trustee Thompson: I always ask my question about the code violations. I see on the report that not too much is happening there. Can you tell us anything about this system? Has everyone been taught how to use it?

Manager Revella: Everyone? No.

Trustee Thompson: Will Dan be coming back or do we have to make an appointment for that?

Manager Revella: We'd make an appointment for him to in-service somebody. He taught Marisa and I the basics.

Trustee Thompson: I think it's important. Well, Marisa will obviously be at Zoning Board and Planning Board. But I hope we can encourage applicants or people that are coming before those boards, let them know that we have this and encourage them to take advantage of it. I'd very much like to see it on there from the audience so I can see what the presentations are all about. It looks wonderful. Is there any update on the electric charging station?

Manager Revella: The contractor gave us an updated price. We actually asked another contractor for a price.

Trustee Thompson: And is it still the plan that our DPW will be doing some of that work to save money?

Manager Revella: That's the goal. The issue is with the bollards that the station pieces themselves, that they're stationary, they're not attached to a wall. A little more expensive.

Trustee Thompson: But the project is still going to move forward.

Manager Revella: Yes. I may be talking to the board about that once we get the final pricing about how to pay for that.

Trustee Thompson: Okay. But we're still planning to move forward?

Manager Revella: We're planning to move forward.

Trustee Thompson: Is there any update on the floors on the third floor?

Manager Revella: No. Asked the engineer, if he had any updates from the contractor and he hadn't gotten any and he was asking them for an update.

Trustee Maher: Are there any updates on the community center?

Manager Revella: Yes. So the only thing left is to get the cable and phones sent in, like interior wise. Everything else is ordered and ready. Kitchen aside. Drapes, blinds, chairs, tables are all ordered. If they're not here already, they'll be here soon. The cable company was there today, they need to do a conduit, which will run outside to be able to hook up. Then the phones can come. The contractor doing the paving is supposed to come on Thursday. But we cannot be open without certain things which we have to have the paving to do. The paving of the handicap spots is Thursday.

Trustee Pearson: You talked about no full time positions are needed right now, did we fill the Sergeant position that was open?

Manager Revella: The test results aren't out yet. The full time officers are full.

Trustee Pearson: We talked about security in the office, I don't know if we should talk about it here or in executive session, but has anything more been done about what we had talked about?

Manager Revella: The contractors waiting for the engineer to give them some plans so he can build it. He's ready.

Trustee Pearson: I thought maybe we were going to have the senior housing on this agenda. I know we talked about it the last meeting, Dave was going to get us some information, but I don't see it on the agenda, so hopefully that's going to come up.

Manager Revella: I think its attorney-client.

Trustee Pearson: Senior housing is attorney client?

Manager Revella: Legal advice on constitutionality of a certain law. I would think so. I don't want to get sued. If there's something else he could speak about. I'm not sure.

Trustee Pearson: The water and sewer letter. Where are we with that?

Manager Revella: It's ready. We don't have our system up yet. The bills went out with the old system still with the Towne Mailer. We were supposed to have lock box up December 1st, but it wasn't ready. It'll be in March.

Trustee Pearson: I sent you some ideas of cheaper things to do and I don't know where we are with that. I would like a response to that maybe if we can get something for the next meeting so we know where we're at. The board kind of voted to get it done. You said you met with IDA, what are the IDA things happening in Walden. Can you talk about that?

Manager Revella: It's outside the village. It's called the Milk Factory.

Trustee Pearson: We have the grant writers from the Town of Montgomery till December. Or do you know how long?

Manager Revella: I'm not sure what the contract date was, but if they renew it, then we're still in.

Trustee Pearson: If they renew it, is what you're saying?

Manager Revella: Yes. I haven't had any indication they wouldn't.

Trustee Pearson: Treasurer's report, the unpaid taxes and rehabilitation loans. Can somebody explain that to me? It says email discuss Manager, Village Attorney related to notices received by the County of Orange regarding unpaid taxes on properties in the village with outstanding rehabilitation, we will closely follow these properties. What is the issue?

Village Treasurer Kelly: We got a notice from the county that there's unpaid taxes on a property that has a rehab loan. The state has to keep anybody them apprised in case they go to tax sale.

Trustee Pearson: So, there are no penalties.

Manager Revella: No. They have to let all the lienholders know. Otherwise they can't sell at a tax sale.

Trustee Pearson: When we do those, I know years ago the village used to be like number 2 on that because the bank was always number one. What are we on most of them? Number 2?

Manager Revella: On most of them, yes. Unless they refi and we don't subordinate. Which we didn't on a couple. We're first on some.

Trustee Pearson: The beaver dam, that was supposed to be a beaver dam and it wasn't a beaver dam?

Manager Revella: They took it out.

Trustee Pearson: They went through the people's property, did they have to cut trees down?

Manager Revella: Yes. It was dangerous.

Trustee Pearson: Church Street.

Manager Revella: I know, did you get the email. One of the residents emailed me about it.

Trustee Pearson: Yes. She's your neighbor? I saw her when I was campaigning. And she says, why all those trees laying all over the place up there? You told me it was a county property.

Manager Revella: It was a county property, I think that sold at county auction. We had to cite them to remove it. Freddie did what he could without being too intrusive.

Approval of November 1, 2022 & November 15, 2022 Minutes

Trustee Pearson made a motion to approve the November 1, 2022 minutes. Seconded by Trustee

Thompson. All ayes. Motion carried.

Trustee Pearson made a motion to approve the November 15, 2022 minutes. Seconded by Trustee Thompson. All ayes. Motion carried.

Public Comment

Susan Taylor: Anybody that knows me knows that I love those budget transfers. Be nice if somebody on the board would address why there's so many of them. I know that it happens. The budget is fluid, but seems like it's almost like a flood of budget transfers all the time.

Mary Ellen Matise: There are 7 pages of budget transfers totaling almost \$62,000 to cover overages. So, maybe you'll explain that. Spending was greater than was budgeted for. You have to move money to cover what was spent. I guess that's what that means. Overages, \$62,000, a lot of money.

Manager Revella: There's \$62,000 in under spending as well, it balances. It's not just all over. And just so the public is aware it's for the year ending 2022, it's not the current year, it's the prior years.

Mary Ellen Matise: Right. But in other words, it wasn't set up properly with the idea of how much you'd spend in each department from the beginning.

Manager Revella: It balances.

Mary Ellen Matise: Usually the idea is that it be more accurate than that. Then this short term rentals I went on the website before at home to look for the agenda. I'm just looking again and of course, this looks like it looks like it's a Goshen Law.

Manager Revella: It is. It's a template.

Mary Ellen Matise: A template to discuss, it's not anything that would have been on the website yet?

Manager Revella: That's correct.

Intro to Local Law – Short Term Rentals

Attorney Donovan: Like we spoke last time, an issue I think the board is interested in. I advised that I would provide a copy of what was drafted for the Village of Goshen for your review, to see if you like it, you don't like it, you want to change it or as I like to say and I'll repeat again, this is not my local law, this is your local law. So, whatever you think would be appropriate, I can certainly advise what may be legal or illegal, but any kind of modifications that you want to make if you like anything at all. I gave it to you as a starting point for what another municipality did, that's all.

Trustee Pearson: I did some research and Village of Montgomery seems to have a really good one. It's long. It's more inclusive. There's Cornwall, there's Montgomery. There's City of Beacon. Chester. So there's a lot to look at. And I don't think that this law is as inclusive as I would like it.

Manager Revella: What do you mean by inclusive?

Trustee Pearson: More things in it. Most of the things they have in common are single family rentals only. No two or multifamily, only property owners. Nontransferable between owners. Some of whom then talk about LLC. I think that should be put in there. I didn't see that in this one. There's a lot that I read through that can be added. Definitions are a must because I did some research also

and it says that a lot of the communities that have it don't have strong enough definitions or strong enough enforcement. To get the enforcement, you have to have the definitions that are going to help with that enforcement. Some of the issues are the enforcement. And again, we have issues with people maybe possibly living in senior homes and developments that aren't seniors. And we and we're not enforcing that. So my concern is the enforcement of it all. I don't mind making a law that's going to get enforced, but I think we need to have the guts behind it to make it enforceable. There's a lot to read. I can give you copies of all this today that I found a lot of it's very interesting to read.

Manager Revella: Please send so I can share with the board.

Trustee Pearson: There are registrations. How many bedrooms? How many buildings? Overnight stay, off street parking. Some people want site plan, even in a village that they're going to be doing. How much parking you're going to be allowed to have. Neighbors and time restraints and noise levels and when they can be loud and not loud. There's a lot to them that are not in this law.

Trustee Thompson: I think a lot of the things you just mentioned are addressed in here.

Trustee Pearson: There's more. Montgomery has a really good one.

Attorney Donovan: Just so the boards aware, one of the great things about being a lawyer is you get paid to plagiarize. The Montgomery law, the Cornwall law, Warwick. They were all factored into what was done with your planner as well, Kristen O'Donnell, who's the planner for the Village of Goshen. This is what the Village Board came up with. But just so you're aware that all those other ordinances were looked at. But again, it's your local law, so whatever the majority of the board thinks.

Trustee Pearson: I'd like it a little stronger than what you have written. That's all I'm saying. I'll get you the copies. If we're going to move forward. John, what do you recommend?

Manager Revella: I hope we do.

Trustee Pearson: You see issues?

Manager Revella: Yes. The Building Department has had some issues with regulating already. There have been some questions from people that wanted to have an Airbnb type setup. And we tell them, I don't know what to tell you. You have to talk to the Building Department and they really didn't have a lot of structure to help educate the homeowner and that was a problem for us.

Trustee Pearson: One of them we talked about, I know it says to renew every year, but there was some other things with the one of the laws had more to the renewal than what this one had. I think that's important as well. But again, it's all about the enforcement. If we can't enforce it and have somebody enforce it, then why are we making a law? That's how I look at that. If we're going to really get it down, there are communities now like Kingston that are hiring more people for Code Enforcement just so they can crack down on that. New York City is another one. It takes people to be able to enforce it.

Trustee Maher: It's a media topic, so this is a really good start. Definitely a conversation I think we should keep having and I think it's already happening. Whatever restrictions or best practices we can put in place to enforce it and make sure it's done the right way and with the best interest of our residents. I think we should absolutely do that.

Trustee Thompson: I agree. I read this and I thought there are some spots where it's a little gray. I

think that I look at some of the enforcement issues we have now with certain things in the village. I can see where this would become problematic because unfortunately, it seems as if a lot of people will just go ahead and do whatever they want and we have to fine them and enforce. You guys know what I'm talking about. I agree this is a good place to start and some of the things that Trustee Pearson brought up, I think they are already in here, if we can firm up the language. I think we should consider that. I do agree with the parking, which I really didn't see that in here. We already have issues with parking in the village, so that definitely needs to be on the list of things we'd like to firm up.

Trustee Maher: It might even be a good idea to have maybe someone from each of these villages come and explain how it's going. Get some feedback.

Mayor Ramos: Yes, that'd be a good idea.

Trustee Thompson: I'd be curious to see how they handle the enforcement end of it.

Mayor Ramos: Just a couple of minor things. Garbage and rubbish. Is this going to be considered? I know its short term rentals, but they are making money as a commercial activity. Is trash and rubbish going to be considered commercial?

Manager Revella: Just depends on the number of units, really. We don't distinguish too much in that aspect in our garbage removal. Once you go over four units, more than four units, we start considering them for commercial garbage.

Mayor Ramos: Penalties are, I see, the first instance is \$500 per violation, is per day as it continues?

Manager Revella: \$750 per day per subsequent. For the first occurrence. If you look at 22.7b.

Trustee Thompson: Not more than \$500 per violation.

Manager Revella: For the first occurrence. \$750 per day thereafter. Is there a consensus of the board for Dave to do an introductory local draft? Everyone send comments to him about what you've seen so far. Becky is going to circulate those other ones to me, so I can circulate to the board as well for comment.

Trustee Maher: What specific zones would be restricted?

Manager Revella: Whatever you have an idea regarding, send it over.

Attorney Donovan: Interesting topic. Some may take the position that they need to be allowed in all residential zones. Goshen took the position that it was in the R2 and R3, which are the multi-family zones, not the single family zones. Just a consideration. It was kind of a personal thing that I brought. My parents lived on a cul de sac with a swimming pool within an R1 zone. If you got ten homes and because we had one, this came to the fore in the Village of Goshen. It was party central. John would rent it from the owner and then he'd lease it out to Lynn and Lynn would have a party and charge people that would come to the party. It was destroying the character of the neighborhood. So, we kind of backed out the R1 for the Village of Goshen. How that will be because Walden isn't the only place with issues. We adopt this law in the Village of Goshen. We hire Code Enforcement Officer to find out that has to have the proper certifications. So, he has to go to school to get the proper certifications. When he does the Building Inspector retires. Now we have Lanc & Tully as the Building Inspector. So, don't bring the Village of Goshen to ask about

enforcement. We've adopted a local law, but there's not a lot of enforcement going on.

Resolution 17-22-23 – Budget Transfers

Manager Revella: As the public has noted, there's a lot. It's for the year ending in 2022. Usually these are done within a month or so of the year end. This is playing catch up from when we didn't have a Treasurer for those few months. Getting those things tied up for the year end to close out that year.

Trustee Maher made a motion to approve resolution 17-22-23 Budget Transfers. Seconded by Trustee Thompson. All ayes. Motion carried.

Public Comment

Bill Taylor: I reside at 80 East Avenue. Been there since 1986. About a couple meetings ago, I guess we discussed the responsibility of the laterals. I understand that concept belongs to me. I have no issue with that. The issue I have is currently 18 wheelers are utilizing East Avenue as a conduit to either Coldenham Rd, the package plant, etc. The issue that I really have is probably about 14 months ago as I was sitting up front enjoying a cigar. Here comes an 18 wheeler heading towards Route 52. Within an hour, water started bubbling up through the street right in front of my neighbor's house. I can only assume that that damage caused to that waterline was from that 18 wheeler. Thankfully, DPW was all over it. They immediately responded. I called. They showed up and put sandbags, kept the water from running down my driveway. Thankfully, if there's an upside, actually the response by DPW, my lateral was not affected and my neighbor's lateral was not affected. My point is, it very well could have been. As we move along, I decided, well, what are the restrictions? If you go down to the end of East Avenue on Route 52, we are now posting. But here's the issue. That posting is approximately 75 to 100 feet up East Avenue. Once that 18 wheeler makes that turn and starts coming up, that hill, sees the sign. What's he going to do? He's not going to back up on Route 52. He's going to continue on his journey down East Avenue. I followed one about two weeks ago. He went down East Avenue, made the right on Sherman, and then made the left onto Edmunds Lane. Which has a big sign sitting right there - not to go there. I started looking around and I notice now that we have a weight restriction on the corner of Grant and Elm. I think it is. Weight limit cannot go up to Rte. 208. However, we don't have a sign of Rte. 208 that says they can't come down. I don't understand that concept. They're coming down Grant Street. They're going up Grant Street. I'm sure there are people here that have had to sit behind an 18 wheeler when they were going to make a left hand turn on 208 on a street they shouldn't have been on in the first place. I don't know what the answer is, but I do have some concerns. The laterals are, in fact, being subjected to damage. I don't know where the culpability is. But I can tell you one thing. The signs don't work, especially if we're not going to put them where they're going to do some good. The other thing is enforcement. I understand that that's a catch when catch can. By the time one comes humming down pass my house, I call PD. They're long gone. I have relayed these issues to the Manager and the Building Department via video and via text. They're still coming down the street. Are they coming at a rapid rate? No. But we all understand that it's only going to take one to bust the lateral. I'm going to be the first one to come back and revisit this. If I got a lateral that breaks once I brought this to the village's attention. I don't know what you can do. All I can say is at least let's be consistent. If you don't want those trucks on Grant Street, we need a sign at both ends. We don't have one at the other end of the East Avenue. They're coming out of the package plant. They're coming up Sherman hanging a left on East Avenue, going to Route 52. I can only assume that with the many projects that are on the table that the increase in truck traffic is going to increase. We're going to get building materials delivered. We're going to get refrigerators, stoves, all of those things associated with the upcoming project that you guys have been dealing with is not going to go away. What are we going to do to enforce it? I don't have an answer for that. The only thing I'm here to tell you is, I will be back if my lateral gets broke. And it's one of these 18 wheelers that's going down East Avenue. That's my concern. And at least let's make them consistent. If you don't

want them on Grant Street, then don't tell them you can come down it and tell them you can't go up. I'm sure that the GPS is probably sending these folks when they come up 52 to get to the package plant. It may not tell them to turn on Elm Street. It turns on East Avenue because that kind of direction that Waze or a navigation system may send them.

Manager Revella: The 18 wheeler navigation systems are supposed to have the truck routes installed so they know not to use those certain routes. That's one of the issues.

Bill Taylor: I've had several navigation systems and none of mine tell me weight restrictions on roads. Maybe theirs is different. But if it is different, it ain't working. The biggest one is the one at the corner of East Avenue and 52 when that gentleman makes that turn. At least maybe we want to consider repositioning that sign so that individual has an opportunity, because it's on village property, although it's 75 to 100 feet up the road, give him a shot, because once he makes that turn, he's committed. That's my story and I'm sticking to it. I hope I'm never back here saying I've got a busted lateral and I was here to let you know that that was going to happen.

Manager Revella: I don't know if the board has ever been through the Village of Maybrook. If you go to the entrance, you'll see a sign that says restrictions, truck traffic. I'm not sure how they got the approval from DOT, but can ask and find out. So, we can do the same thing at our entrance signs. It may help alleviate some of the problems. I'm hoping we get the entrance signs for part of it. And then the individual on those streets as well. The board did approve certain truck routes. We have to make sure that that's designated pretty strictly.

Susan Taylor: Manager's contract. I've heard a lot of questions about when his evaluation would be done. Board members stating they didn't get the evaluation form. When was this contract up? Was it April, May, June? It's now December. This board has one employee to evaluate. I find it difficult to believe that in all these months you haven't found the time to do an evaluation and discuss a new contract. I'm guessing that all other employees got their evaluations prior to budget and the handouts of their raises. The manager is entitled to the same consideration and I find it disturbing that this still has not been done. And if it was done, it was just recently because these questions were asked, I don't know, a month ago about the evaluation. I think it's insulting that you have one employee that you have to evaluate and you couldn't get it done in this amount of the time. I'm insulted for him. I don't know whether he's insulted, but I'm insulted for him. How many evaluations did you do? 80 plus. And you couldn't get it done. I just find it astounding. The second issue is I listen to the manager's reports every month and I become concerned about his comments regarding work that the current Treasurer is doing, specifically reconciling old bank statements, bond payments being late, issues with the retirement fund. I've also heard that the audit was not completed and that the current Treasurer is working on that. Taxpayers should have a certain level of confidence that our tax money is being safeguarded. Every member of this board is responsible for those tax dollars, not just one person. And those manager reports beg the question, what the heck is going on? I would hope that at some point the current Treasurer would be invited to a board meeting to address these issues, explain what has been done to rectify them and what impact, if any, these issues have had on the budget and the daily functions of the Treasurer's office. I would guess that her current efforts are taking up many hours of office time, so I look forward to her report. The fridge. Before I opened my bakery on West Main Street, the idea was floated to take my six foot commercial refrigerator and put it in the back of my building. Then I was told I had to have an enclosure, a dedicated electrical outlet, because I could not see it from my kitchen, my building, that I had to keep it locked at all times so that no one could get into the refrigerator or child get locked in it. No one could get in it to take any items or to tamper with the items that were in there. Given that scenario, I decided to leave it inside my building so that I could monitor the refrigerator. I haven't heard anybody on this board say that they had an issue with the refrigerator that's currently outside of a business. But with benevolence comes responsibility. The people that use the refrigerator to get

the free food should not be discriminated against and be treated differently than anyone who goes into a food business and has their orders made up individually and they purchase it. The minute that food is put into that refrigerator, you break the chain of custody of that food. People that purchase it have a certain confidence that the food is prepared properly, packaged properly, kept at the proper temperature. The people that utilize that refrigerator shouldn't have any less confidence that that's the situation. And nobody can guarantee that because nobody's monitoring the refrigerator that's outside. I know in my house and I'm guilty of it. I'll open the refrigerator, take something out. I don't shut the door properly. You're not talking about a commercial refrigerator. You're talking about a household refrigerator. Doesn't have the same sized compressor. Never been to that refrigerator. I've looked at the photographs online. I see no thermometer other than it looked like a meat thermometer that was in one of the compartments on the door, which, by the way, is the warmest part of a refrigerator. I guess what I'm saying is what I'm reading and what I'm hearing. This isn't about who donated the refrigerator, Mayor. It's not about the business that it sits outside. It's about food safety and food security. And the last thing you want to do is to have someone get sick because the food wasn't kept at the proper temperature, especially if the refrigerators outside in 80, 90 degree weather. That's not a commercial refrigerator. It's a household refrigerator. The compressor isn't even a quarter of the size that's in a commercial refrigerator. Making it something else other than concerns about how this has been implemented is ridiculous and diversionary. What you're talking about is food safety. That's why we have a health department. That's why we have a Building Department. It's not because the law is old. Food safety should never be old or considered old. But I hear those concerns. I have the same concerns. Having owned the business. I've monitored the temperature in my six foot walk in every hour because that door was opened and shut probably 100 times a day. I checked the thermometer, I kept the logs. So when the health department came in, they could see that I kept a log because food safety is no joke. I think that's where the concern is. That's at least what I'm hearing. And to make it anything else is ridiculous. You're talking about people's lives and people's safety. We live in a different world. I would hate to think anyone would go in and tamper with any of that food, but you don't know because you're not monitoring it, especially if the thing is opened all night long. Somebody's going to come check it every hour, the temperature and make sure who's going in and out of it. I think the village has a responsibility to those people to make certain that the implementation is conducted in a safe manner. And the other thing is, I agree. Maybe you want to save a lot of money. You can get rid of code enforcement because it seems like many people in the village don't bother with permits. I know that the Building Department, the code enforcement don't work on weekends. You might want to ride around the village and watch and see how many people are doing repairs on their houses, putting on extra rooms. People are parked half on the sidewalk, half in the street. People are still parking on lawns. Garbage. Trash piled on the sides of houses. It doesn't seem like there's a lot of code enforcement going on. The porch roof on Grant Street. There are small children living in that house. If you get any kind of snow storm and the snow builds up on that roof, on that porch, I'd hate to see what would happen if a child was standing there waiting for a bus. Doesn't it seem like a lot of code enforcement is going on in the village. You ask us to send photographs. I know I've sent them. I know Mary Ellen Matise has sent them. I know my husband sent them. Still nothing is done. I think there are some areas that you really need to look at and start to think about. We have a wonderful village and it's a shame that there are certain aspects that have been neglected lately.

Mary Ellen Matise: Code enforcement, it seems like the low lying fruit is what gets paid attention to. Grass that's a half inch too high and the simple stuff without the more difficult issues not being dealt with. I don't want to get into the thing about the refrigerator, but if you check with the Office for the Aging and the home delivered meals, I believe those meals are frozen when they deliver them. There's a safeguard there that the food is not spoiled. It's still in a frozen state and they bring it to people's houses. I could just give this little piece of paper to John. I was going through the Welcome Packet when I didn't find the sample law. The Welcome Packet, you listed a lot of businesses, you listed some community organizations and some services and then others. You just

ignored. For example, a service that opened to the village residents, especially the seniors, is the Town of Montgomery Seniors Independence Project. And a lot of people here take advantage of it. There's a direct phone number that people can call. They do a lot of transportation and friendly visiting for people. There are omissions that I think you could add in.

Manager Revella: I'm happy to add some in.

Mary Ellen Matise: I've got a list for you. This is down in the library and I know we just have the one rail trail, but this is down in the southern end of the county and by a Sullivan County *referring to a brochure*. Showing all the trails down by Mamakating and going into Sullivan County. Maybe if as ours expands or I don't know where they got the money from, maybe it looks like some grant money. That's a really nice little publication. Maybe the whole Town of Montgomery should, because we do have the scenic byway, we have the rail trail, we have other points of interest. Some of them are county sites, town sites that maybe we could do a little something in the future, prompt the town to do it.

Brenda Adams: I wasn't planning on speaking about anything tonight, but Mr. Donovan said something about the character of the neighborhood in your dad's cul de sac and at the Tri-Board meeting, I tried to explain to the board it's about the rentals and all of the things that was being changed in the composition of this village. Immediately, some people on the board seemed to want to jump to the code. It wasn't about the code. It's about the change of the character of the village. When you go from 25 rentals to 125 rentals, I think that starts the change. Plus, you're going to add an apartment complex that's going to have, what, 70, 69, units. There are plenty of things going on. Now, Trustee Maher says we already have these short term rentals, which means that they've slid in under the radar. I know if you just, Mayor Taylor there mentioned about different things that was going on in the village, too about the code enforcement. A block from my house we have rentals. Almost every one of them are pigsties. I'm sorry. You can see the sofa sitting on the fence in the back. You don't have to be going around everybody's backyard. It's there. There's 2 four family homes that have sofa, old beds. And the sofa is visible from the street. The other house, my one neighbor invited me over to her backyard so you can see what she sees every time she comes out of her house, is the four family house, the trash. And I don't understand why people don't put trash out. I mean, people pay for it. All you got to do is walk it from wherever you're at to the curb. I think we're going downhill. But I also think the village has a responsibility here, not only in paying attention to what's going on as far as the rentals and the properties. But last week I had occasion to come here in the daylight. That parking lot over there is terrible. There are papers, there are cups, there are bottles, all sorts of garbage. It's a municipal parking lot that should be clean. I come over here to this building, the leaves that are piled alongside of the library door. Those leaves have been there for how long now? If it was our house, you would want us to pick up the leaves and put them out to yard waste. I'm sure the village can do something with that. But wherever you walk in the village, there is trash, every place. In people's yards. On the street. I just don't get it. So I feel like the village has to start setting an example and clean up your own properties and then start asking people to clean up their properties. That's my concern about rentals, too, that we're moving full steam ahead. And if you're looking at a revenue stream by having these short term rentals and hoping that that'll bring tourism into the village, when they take a walk around the village and they see that, it's a little scary. And the other thing that I notice, which people are probably going to get really mad at me for saying this, but we have the memorial to the drug overdose, and God knows that your heart goes out to everybody. But when you first come into the village and you see that, if you're coming in, you think we have a huge drug problem here? Maybe we do. I don't know. But it sort of hits you that there's a lot of drug overdoses right here in the village. Maybe there is. I don't know. But it seems like we're just not doing anything to make us look better.

Payment of Audited Bills

Trustee Pearson made a motion to approve payment of audited bills. Seconded by Trustee Thompson. All ayes. Motion carried.

Miscellaneous Comments from the Board of Trustees

Trustee Pearson: Ambulance. We don't have any signature and nothing about the ambulance. We've had a meeting. We haven't had a meeting. What's happening with the ambulance?

Manager Revella: We were told that they were going to reach out to meet with us, to go through things. I haven't heard from anyone.

Attorney Donovan: I heard from the Town Attorney who said he's working on something that would get over to me last week.

Trustee Pearson: And does it have to be done before December, before their budget in January, or do we know that?

Attorney Donovan: We're using our funds, as I recall, June 1.

Trustee Pearson: Where is our funding coming from?

Manager Revella: We're not paying until after June 1st. We would budget for it in our next budget. Whatever that comes to be, we haven't negotiated that yet.

Trustee Pearson: The Historical Society reached out to me about the piece of track that you got for them. They would like to do something. They don't really want it at the historical society because they really don't have a room for it. I said, maybe we can put it in this room and maybe display it and they would be happy to put some pictures and some dialog with that to explain what it is and the history about it. I don't know if the board wants to talk about that another time, but that was just brought to me. I just thought I'd bring it up to the board to see if they wanted to do something with that. It's a really beautiful piece that John has. John had also talked about cutting pieces of that. It would be nice to have a substantial piece

Mayor Ramos: What is the weight of that? About 300lbs? I was looking at cutting half and cutting little slivers, about maybe 2 inches so that the historical society can auction it off at an event that they can secure some funding. File them down. I would suggest half of it to be mounted within this room. And the other half, it's almost 36 inches long. I'm going to say about 12 inches would be, which would be about 6 pieces that they can auction off. I'm ready to cut it up whenever somebody gives me the okay.

Trustee Thompson: Is our Historian involved in this process?

Mayor Ramos: Both of them are there. They're in perfect agreement on cutting it into little slivers for historical society event where they can auction it off and secure some funding for a specific project.

Trustee Pearson: A great idea. You made mention, John, of the Osiris Well, can you go over that again because I thought that wasn't up and running.

Manager Revella: Well 7 hasn't been up and running. Now well 8 is not up and running. A piece broke. We're waiting for a part.

Trustee Pearson: But the 7 is not up and running because of contamination?

Manager Revella: No. It's just iron. Too much iron in the water causes brown water.

Trustee Maher: What would be the next step for getting the signs up on Grant Street for what Mr. Taylor was speaking about?

Manager Revella: We were just talking about what Maybrook did, I'm not sure to get the approval from DOT to put at the entrances. That's the number one of the biggest part. And then just figuring out where are we going to actually put them. You have to UFPO. I don't know how many signs you want around the village. They start attracting if you get too many, but if you put them at the beginning and the end, very end, we'll try, I know the sign he was talking about on East Ave near 52. There was an issue with the driveway. We tried to put it closer. The guy came out about it getting angry, but we can try and compromise and scoot it.

Trustee Maher: With the truck navigation systems because that's the first thing that came to my mind is they're probably not even looking at signs. They're just following their GPS. But you said specific trucking companies should be following their own. Is there anything we can do to enforce that?

Manager Revella: Well, you guys already passed a law about truck routes.

Trustee Maher: But if they're not using the proper GPS that's on them.

Manager Revella: Yes, we can't help that. That's not a law or rule. Just good practice.

Trustee Maher: The fridge. I was under the impression that that was cited a while ago.

Manager Revella: It was.

Trustee Maher: So we did our due diligence there or it's now open again.

Manager Revella: It was cited. I can tell you that. Before the Building Inspector retired. After that, nothing's been done since then. Since the citation, that I'm aware of. Has there been follow up from your office?

Attorney Donovan: A question came back to me. My answer was to commence enforcement. There was an order to remedy.

Manager Revella: The next step is enforcement action, either through this board or the court. The preference is to this board because they have more teeth.

Attorney Donovan: You can have a hearing here or and if you recall, those of you, when I first started, there was frequently hearings in front of this board where property owner would be cited, they would be given the opportunity to remedy the violation. They would come to the board, if they did not remedy the violation certain period of time, the village took certain action. Sometimes it was cleaning off a porch, something along those lines and then the charge back. For whatever reason, seemed to have fallen out of favor. There was the justice court. The justice court does not have what's called equitable jurisdiction, only have the ability to impose fines. But those can be significant. I did not recommend this board or the court. I just recommended that enforcement be commenced. That was probably close to a month ago.

Trustee Maher: I just wanted to make a comment on was the evaluation. I have worked for a few different Fortune 500 companies and that's pretty normal. I have to say, I'm in almost my sixth month in the New Year. I just received my evaluation and I work for one of the biggest companies in the USA. It seems excessive. That's how the process happens. How long are you overdue?

Manager Revella: For my contract? June 1st was this contract.

Trustee Maher: Yes, it's a while, that seems to be, from my experience, the norm. I'm six months into my new year and I just did my goal setting with my corporation. I can see how it seems excessive. But when you compare to other companies that seems to be the process.

Trustee Thompson: We're not a big company.

Trustee Maher: It almost seems worse than civil service. And this just from what different people I've talked to, this is sometimes it can go on even longer.

Trustee Thompson: John's not a civil servant.

Trustee Maher: Right. But I mean in public service. Do you feel insulted?

Manager Revella: Personally? No. But it's not my place.

Trustee Thompson: This was not something I wanted to bring up, but I feel like I have to refute that comment. This is not a Fortune 500 company. Altogether there are at the most 100 employees in the village. I've been on the board for three terms. The Village Manager's contract has never, ever been this overdue. Neither did the evaluation process ever take as long as it took this board to complete. You compare what norm is to where you work. I'm a retired nurse. There are hundreds of nurses in the hospital, not to mention technicians, aides, secretaries. Our evaluations were done within 30 days of our anniversary date. So, I disagree. I think the Village Manager deserves to have his contract negotiated or signed. I think it is overdue. That's my personal opinion.

Trustee Maher: I absolutely agree with that. I'm not saying I think that it's okay. I'm just saying in my experience, this is typical.

Trustee Thompson: Mine is different than yours. I think it is something that needs to be addressed and be completed. I would also like to bring up quickly the issue with the food fridge. I've taken a lot of heat for bringing up the food fridge. I think the business owner feels like he's being personally attacked. That couldn't be farther from the truth from me. I agree with our village resident, our former mayor said. It's a health and safety issue in my mind and it's been going on for far too long. Yes, there were some steps taken, but there still has not been in compliance as to what the New York State Code and the Village of Walden Code says and comments have been made that that law is old. Well, if that law is old and has never been amended, I believe Mr. Donovan, correct me. That is an enforceable law.

Attorney Donovan: That is correct. Unless there's some superseding state statute that preempts the field or some court decision which makes that statute non enforceable, if there is none of those, then that statute, that law, that regulation is still enforceable.

Trustee Thompson: I just feel like we're doing a disservice to the business owner because the business owner deserves to know exactly what the law is, what the expectation is from the village. I believe the Department of Health has been involved in this as well. If there's a standard to be followed, a law to be followed, we should follow it. We should enforce it for the safety of anyone

who utilizes the service.

Mayor Ramos: Thank you, Ms. Maise for your blessing us with your appearance at Liberty Street with Ms. Olga Vargas from the USDA. Just to let everybody know that the month of March and April they'll come up with some seismic instruments to give us an update. I hear she was successful over in the Town on Montgomery's dig site. I'm glad she got here and used her time wisely. I attended the Honor Flight luncheon over at the World Resorts. What a phenomenal time to walk around. True heroes. Really an endearing night and kudos to the committee that set this up. It was well attended over 400 people, an awesome ceremony. And Mr. Kilmer did a phenomenal job emceeding the whole thing.

Trustee Thompson: I have had a few village residents ask me, why do we have a live stream if their questions cannot be answered? And I didn't have an answer for that. People, I guess write in while we're having our board meeting and they feel as if they never get an answer to a question or a comment is never addressed. I don't know what we would do about that, but I've also been hearing that complaint from the town board meetings as well.

Manager Revella: It's not a question/answer type of meeting. During the Ambulance Corps presentation, I asked them to please address the comments and they did. I saw them on their address. We watch during the meeting if there's something going on and if there's a really important topic or some question that came out, we tell you during the meeting, if we can. I can't watch it all the time because I'm participating.

Trustee Thompson: I understand.

Manager Revella: Sometimes the person doing the video recording will let us know as well. There was a question about this or they couldn't see something or couldn't hear something. And we'll try to address that at the time.

Trustee Maher: And the proper protocol would be for them to email someone from the board.

Manager Revella: Or me or the Clerk any time.

Attorney Donovan: Just to be a lawyer for a second. So, there's no right to have a question answered. The purpose behind the livestream is that people can watch the government do their business. That's the purpose in the live stream. Not that any individual can get their questions answered. In fact, there's no requirement for what's called citizens comment or public participation. You actually don't have to have that except at a public hearing.

Read community events into minutes

Executive Session – Discuss the employment history of a particular person, collective bargaining negotiations with the PBA and the CSEA, attorney client issues regarding legal advice regarding the Hill Street Bridge, senior housing and NYSEG

Trustee Pearson made a motion to enter into executive session to discuss the employment history of a particular person, collective bargaining negotiations with the PBA and the CSEA, attorney client issues regarding legal advice regarding the Hill Street Bridge, senior housing and NYSEG. Seconded by Trustee Thompson. All ayes. Motion carried.

Reconvene

Trustee Thompson made a motion to reconvene the regular meeting of the Board of Trustees. Seconded by Trustee Pearson. All ayes. Motion carried.

**Village of Walden Board of Trustees
Regular Meeting
December 6, 2022
Motions & Resolutions**

Approval of November 1, 2022 & November 15, 2022 Minutes

Trustee Pearson made a motion to approve the November 1, 2022 minutes. Seconded by Trustee Thompson. All ayes. Motion carried.

Trustee Pearson made a motion to approve the November 15, 2022 minutes. Seconded by Trustee Thompson. All ayes. Motion carried.

Resolution 17-22-23 – Budget Transfers

Trustee Maher made a motion to approve resolution 17-22-23 Budget Transfers. Seconded by Trustee Thompson. All ayes. Motion carried.

Payment of Audited Bills

Trustee Pearson made a motion to approve payment of audited bills. Seconded by Trustee Thompson. All ayes. Motion carried.

Executive Session – Discuss the employment history of a particular person, collective bargaining negotiations with the PBA and the CSEA, attorney client issues regarding legal advice regarding the Hill Street Bridge, senior housing and NYSEG

Trustee Pearson made a motion to enter into executive session to discuss the employment history of a particular person, collective bargaining negotiations with the PBA and the CSEA, attorney client issues regarding legal advice regarding the Hill Street Bridge, senior housing and NYSEG. Seconded by Trustee Thompson. All ayes. Motion carried.

Reconvene

Trustee Thompson made a motion to reconvene the regular meeting of the Board of Trustees. Seconded by Trustee Pearson. All ayes. Motion carried.