

**Village of Walden  
Board of Trustees Regular Meeting  
January 17, 2023**

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
		Becky Pearson
		Patricia Maher
		Brian Sebring

Absent: John Elliott

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

**Orange County Transit**

**Allison Fausner:** The next steps towards responding to the DOT and working with the issuance of the highway work permit and the occupancy permit. The submissions with DOT would include the modified layout that our engineer has already completed relocating this sewer force main on OCT property as well as relocating our traverse sewer force mains across 52. Also includes associated construction detail. As well as correspondence from our engineer listing all the changes to reduce the length of sewer force main. As well as relocating for existing encroachments into the right of way, which are those steel carports located along the used car lot. The last matter we need to handle, we've been corresponding with the village staff to handle and determine is the maintenance, construction and ownership of the line. The DOT had indicated that they have a preference for, although they can't give any guidance that says it must be, but a preference for a public ownership. So we're still working through that, hopefully we'll reach a resolution and will be back before the board and resubmit to the DOT afterwards.

**Trustee Pearson:** I don't remember this board talking about the agreement of taking over the lines. I know there was discussion with how that should work. I think it should be the board's decision. If we haven't had that discussion and that agreement is being worked on, why doesn't the board know that?

**Deputy Mayor Carley:** I don't remember that either.

**Trustee Pearson:** There was discussion at the last meeting about possibly doing that, but this board hasn't made that decision. I don't know where we stand with that.

**Attorney Donovan:** Between Christmas and New Year, there was correspondence from Orange County Transit with the request that there be a meeting amongst the Village Manager, Mayor anyone else from the village and myself. That meeting has not been able to be scheduled. There is a proposal. I don't want to discuss it in public. There was some communication relative to the merits

of that proposal. But it would all be deferred until there was, as indicated, there would be a discussion of staff and then report back to the board, the discussion by the board, because if anything were to happen, one way or another, it's a board determination.

**Trustee Pearson:** That's just a concern. Sometimes we kind of get left behind on certain things. They're already doing things differently than what they were doing before. They already moved something off the property. They talk to engineers. That's good for you, but to do that and not have approval from board, I'm not sure you would go through all that expense to do that.

**Allison Fausner:** Of relocating the sewer force main?

**Trustee Pearson:** No, because doesn't that make a difference where that main is? That's for us to take it over. If it's in the street.

**Manager Revella:** That's going to happen regardless of the location.

**Trustee Pearson:** So, that's not going to make a difference.

**Manager Revella:** That shouldn't.

**Trustee Maher:** Thank you, for the update. Was there any other scope of work other than trying to navigate ways around that issue?

**Allison Fausner:** No, that really is the only issue is the length of the line and ownership.

**Trustee Thompson:** The discussion that came up about running the line through a different business, that's off the table?

**Allison Fausner:** Yes. Our engineer has looked into the feasibility of working through the Dollar General property maximum amount of service and sub service improvements, a lot of stormwater drainage swales, existing landscaping, existing entranceways. Existing pavement landscaping that would have to be repaired and relocated subject of course to Dollar General sign on. Our engineer is very familiar with the site.

### **Business Council of Greater Montgomery**

**Randi Picarello:** Just wanted to come by in the beginning of the year to let you know things that we accomplished last year with the members of the Business Council and give you an overview of what we have coming up this year and so everyone is in the loop. Last year we were able to put together the Triathlon. It was very successful. A lot of bumps and things to iron out for this year. We do have a date, October 15th. We are hoping by the end of this month to have groups that all start and end at Benedict Park. So, we will be doing the run and the bike through the areas, hopefully through all three villages in the same way. We do have Bikeway. They're located on 17k. We do have our initial meeting will be a safety meeting with all the Police Officers. We'll go over the routes as designed. Marcia Jacobowitz is going to work on the route with me and the gentleman from Bikeway and Joe's Fix It in Goshen, they're going to help me look over the existing bike route. Will likely keep it pretty similar to last year if we can, just add the River Rd portion. Want to make sure that we can make it a little bit safer and a little bit more organized on the 208 portion going through Maybrook back to Montgomery. We did Small Business Saturday, since we've been here last. That was our fourth Small Business Saturday. It was met with mixed reviews this year. The business owners saw overall increased traffic, but less people were using the passports. We give out passports with all the participants on it and then when you go to the participating businesses, you get a signature or an initial or a stamp and then you then redeem the passport as a

raffle ticket. Less people were using the cards, but were paying attention to social media and the other ways we advertised. Which translated to increased sales to the businesses. We hope to take that feedback and build on next year. Then we did a business decorating contest, which Walden Community Council also did. I hope to work together with that next year and just do one town wide business storefront decorating contest instead of different village ones. I did also reach out a little bit to a couple of the representatives to really try to work as much with the Community Council as we can and kind of double down on the idea that we've had from the beginning of not doubling the work or imitating, even though it's flattery, I think that's already going on and just supporting existing efforts. The Walden Community Council is the most active and they get the most done. I'd like to try to support them a little bit better going forward. Instead of building a business owners group within the community. We do have a self-care expo coming up at Otterkill Country Club on February 26th. It's the last Sunday in February. That's featuring all the local businesses that perform self-care services. Have a lot of functional medicine doctors now, simplistic stuff, essential oils and anything that's self-care focused. February 16th at City Winery, we're doing our first co-branded mixer with Gardner Association of Businesses. April the 27th, it's a Thursday and be doing the first annual Greater Montgomery Economic Development Breakfast at Pleasantly Devine on Maple Avenue, 17k.

**Trustee Maher:** For the health care expo, for people to reach out interested in tables, but I didn't see a price.

**Randi Picarello:** We were doing \$25 for members, \$50 for nonmembers. It's not going to be a money making event as far as we're concerned. Looking to cover the costs and there'll be a small entry fee for the guests. Then Erin from Otterkill is going to put out your first drink is free and then it's a cash bar after that. There'll be appetizers and we're going to do a mix of demonstrations and samples and then the format is going to be like a vendor event where you'll be able to sell samples, do your own mini demonstrations and book directly with clients. It's really to get people to understand a little bit more about what self-care is in addition to wine and chocolate, and that we have so many services locally that are provided. I think we tend not to try new things because they're intimidating because we don't know enough about them and they can be super helpful.

**Trustee Thompson:** It sounds like you guys are going to be very busy. I think it's great when there's something that will benefit the town and each one of the villages. With some of the activities you have planned, do you think it will take away from the autonomy in some of the villages. Each village has something a little special about it. I just wonder if doing everything together, I just have some concerns about that.

**Randi Picarello:** I hear your concern and I totally understand it and that's something I think about and I think that was something you're very careful about and will continue to be careful about. That's what makes this Greater Montgomery area such a great asset to the county, to tourists, to agritourism and everything else that we have is that there are three distinct villages and they're different. They're layouts are different, their shops are different. My whole point in the economic development portion of it is that when we were strictly agricultural communities, we had to have everything in each village. As far as business districts go, we kind of don't. We're close enough everyone has one car or two cars and access to public transportation to get to and from each village that I would love to see different businesses in each village and not all the same carbon copy. I think there was always a big push that every village had to have everything and have to be self-sufficient, but we don't anymore. I don't think there's a real risk of losing your autonomy at all. I think I would never do one town wide Christmas tree lighting or holiday event. You guys have your own well planned and executed. Harvest Fest versus Montgomery Day. I don't think any of those things will ever be combined and that's not my intent. But as far as getting all the businesses together to showcase all the different things that the area has to offer. I think that's really where my focus is.

Not necessarily always combining everything.

**Trustee Thompson:** Are you planning on trying to organize something like the Walden Community Council in the other two villages? Community Council here is quite busy and a lot of the members are getting a little older and it's a challenge to do some of the activities that they do. To extend that into the other villages of the town, I just have some concerns if there's going to be some type of formulation of that type of an organization somewhere else in the town to help out.

**Randi Picarello:** I'm trying to do that in the Village of Montgomery. It has some success. We either get a lot of people at a meeting and then nobody at the next meeting. But it's getting there. It's easy to do in Maybrook, because there's only a certain number of businesses, so it doesn't require its own thing. Like Harry and Johnny from the Main Line Diner and Nicole and her husband, they're very involved in the surrounding area and they've always wherever they can. Just reinforcing what you guys are doing here and helping with some of board members, making sure that you have a connection with some of the business owners that are coming in that have a little more energy and a vested interest in seeing this business district continuing to grow and thrive is really what I'm hoping to do for the Walden Community Council.

**Trustee Thompson:** I think all the programs you plan on having are excellent. I know there's a lot of interest in the community for a lot of the things you're going to offer, being involved with all of these environmental things that are going on in our area. The Conservation Advisory Council for the Town of Montgomery, did an expo a few years back. Attendance was okay. It wasn't as good as we had hoped it would be, but the interest in those type of things is definitely gaining momentum. Your calendar sounds really busy for 2023, but I'm wondering if somewhere along the lines perhaps there could be some dialog about putting on some type of a program like that.

**Randi Picarello:** It might be something that we can fit a couple of maybe tables in the entryway at the Economic Development Breakfast for people that want to showcase some of their information and get people talking about it a little bit. I think it's great. There's a ton of legislation being introduced in New York State that is geared towards energy and what we're using in that thing and it affects everyone across the board in business and residents as well. I would love to talk more about that. It's definitely something that's on my radar. If you would like to give me some information about what you did and what we can build on. I would love to fit it into the calendar.

**Trustee Thompson:** I think that the contact person would be the Chairwoman of the CAC for the Town of Montgomery. Thank you and good luck with all of these things. You're going to be very, very busy.

**Trustee Sebring:** You're going to have a very busy summer and a lot of meetings. I hope everything goes well because there is a lot of planning on everything.

**Deputy Mayor Carley:** What was the Economic Development Breakfast?

**Randi Picarello:** The 27th, the last Thursday of April. 8 to 10:30 kind of thing.

**Deputy Mayor Carley:** You said there is a problem with the traffic and safety with the biking or running?

**Randi Picarello:** The 208 stretch biking, especially 84 interchange area, which we knew was going to be the biggest safety concern throughout the course was fine. Nothing happened, but I think there could have been a little bit more discussion ahead of time and communication about exactly what hand signals would be, exactly what the expectations would be. I think that people that are well

versed in the bike races expect a certain set of movements or whatever you want to call it from the Police Officers that didn't necessarily compute. I think that was just being first year events. We try to check every box we could and get as much of information that we could and it wasn't anybody's fault or issue. Luckily nothing happened. We've already gone back over all that with everybody and I think we have a better plan for this year about how and what and who.

**Manager Revella:** Are you going to avoid the 84 interchange next year?

**Randi Picarello:** I really don't want to because there's no other way to fit Maybrook in if we don't go through that interchange.

**Manager Revella:** You can't come through the MTA land and around that way and go through Maybrook and down Maybrook Rd?

**Randi Picarello:** It's definitely open to any suggestions.

**Manager Revella:** When you have a meeting, let me know, I have 2 routes.

**Trustee Pearson:** Do you need a mountain bike for that? Don't they race regular bikes?

**Randi Picarello:** Some people had mountain bikes. I thought everyone was going to have a lock in pedal. Somebody had their feet duct taped to the pedals. I welcome any input and any participation. If I'm doing something wrong, let me know.

**Trustee Thompson:** Where do you advertise all of your events, just so the public knows where to look.

**Randi Picarello:** We have the Business Council Facebook page. We are utilizing Wallkill Valley Times as much as we can. We do constant contact, if you want to sign up for our email list, just let me know or go to our website and subscribe there. We have an interactive calendar. You guys are all members, all the municipalities are members.

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

**Manager Revella:** I have been keeping most of the board up to date on a couple of things. The Restore NY Grant, the owners of 29 Grant St were trying to get to it this year, but it's likely going to be the next round. That's why that's going to be tabled on the agenda later today. There were a few meetings on that to make sure that's lined up to improve that deal on that building and restore that area. Meeting with special counsel, reviewed a PBA matter. Waiting for the PBA attorneys to respond so we can move forward with that issue. Went over the ribbon cutting with Rec Coordinator for the Community Center. Couple meetings with the engineer, went through grants, reports that are due, MS4 and some things that were needed for audit. Meeting with the Building Department staff to go over duties and progress and things going forward. Meeting with the IDA and town reps to go over how they can be collaborative with the different organizations in our community. Went over staffing with the Police Chief, still advertising for part time help. Meeting with Finance Dept and Clerk, talking about audit and things in the office. Had a meeting with the Mayor and Supervisor Feller and his aide to discuss the Hill Street Bridge, Ambulance District, rec programs and the library. Also, the Comptroller's office was here this past week, they're doing a risk assessment. Our regular auditor is here as well. Also attended a walkthrough of the Milk Factory, a plan for revitalizing the Borden Plant, just north of town. Going to be a wonderful project. Rec Dept, indoor soccer finished. Program went well. Basketball's begun. There's 151 participants as of last Thursday. Teen Center, Afterschool programs going well. All the decorations are down for the season and the ribbon cutting is going to be this Thursday at 5:30. Building Dept and Code

Enforcement Officer has issued since last meeting; 14 building permits, 29 certificates of compliance, CO, 4 violations, 4 fire safety, 16 inspections, 12 landlord registraion violations, had 3 cases for court, two of which were postponed to the next court date. The part time Building Inspector, has only been back for about a week and half, did get 1 building permit out, a stop work order, did 3 fire safety inspections and is assisting with Planning and Zoning matters. Clerk is working on 207c and workers comp, helping out with unemployment issues that we're working on with our special council, went over personnel. Helping with questions from auditors, the State Comptroller's Office is going to have questions for everyone that's in the office. We will be responding to those as they come. Finance Department is still advertising for a part time position. We're still getting responses for that position in the office. Working with RBT and Comptroller's audit. Updated health insurance rates. Issues with Edmunds. Year end items including W2s, the 1099s, the quarterlies, etc. Also helping and working with me on updating reports and reviewing requests from the auditors. Public Works, still working on parts of the plant as we can. The stations as well. Electricians came to help with some electrical issues. One of the heaters, in the press room. They're still pressing as long as they can keep that going. They replaced 16 meters, 26 end points, 13 mark outs, 2 inspections, 3 closings. Well 8 came back online. All departments working on inventories and evaluations. DPW still picking up holiday trees, this is the last week. Police Department, 17 traffic tickets issued, 1 summons, 8 MVAs, 11 arrests, 27 vehicle traffic stops, there were 586 blotters.

**Trustee Pearson:** Are we doing the opening of the community center with or without a CO?

**Manager Revella:** With.

**Trustee Pearson:** Who signed off on that?

**Manager Revella:** Probably Dean. If he doesn't, I can.

**Trustee Pearson:** You said it was, now, there's been rumors out there that we don't have a CO.

**Manager Revella:** The CO was approved by the engineers last week.

**Trustee Pearson:** Okay, so what does that mean, have to be signed off on?

**Manager Revella:** Depends on what the thing is. It could be either the Building Inspector or myself.

**Trustee Pearson:** The engineering firm doesn't sign off?

**Manager Revella:** They're not allowed. They can authorize and say it's ready for signature, it's approved. All the things done, checked all the boxes. Now you're allowed to sign. They usually do a letter to authorize.

**Trustee Pearson:** You had a conference with the DEC for the Ambulance Corp, is there an issue?

**Manager Revella:** Had to update 2 different pages.

**Trustee Pearson:** We have some grants out there, is there any movement on those?

**Manager Revella:** We haven't heard back from the CFA, yet. We filed a consolidated funding application for a new salt barn. They have not done anything with those results. They usually come out in December. It's been delayed. We got 1 grant back that was denied. We asked for additional

greenway funding for the waterfront park.

**Trustee Pearson:** How much was that for?

**Manager Revella:** 50k.

**Trustee Pearson:** You're meeting at the Buddhist temple, collaborate incentives, initiatives for IDA for what? To do what?

**Manager Revella:** Yes, with IDA. Just for development, enticing business for economic development.

**Trustee Pearson:** You had a meeting with Supervisor Feller. How did that go? Hill Street Bridge?

**Manager Revella:** They're applying for the grant. Gave a letter of support. Dave reviewed it, said it was okay, so I signed it. They're submitting that this month. There were some discrepancies about who is in charge of the library and how that's funded, so we took care of that.

**Trustee Pearson:** The Teen Center and Afterschool programs. Is there 1 person that staffs that?

**Manager Revella:** More than 1. Depends on how many kids come. Teen Center is usually 2. After school can be one or two.

**Trustee Pearson:** Are we not using the old train station?

**Manager Revella:** They're moving the stuff in and out of there now to go to Olley. Once that's done, that will get cleaned up and be able to use it a little bit better.

**Trustee Pearson:** It says working on boardwalk project. What are we doing with that?

**Manager Revella:** We had to do a special order for drainage, just waiting for that to come in so DPW can put the drain in. Once the drain is in then the contractor can come and do their part.

**Trustee Pearson:** The Working Leader position. What did you find out about that for the funding? Yes?

**Manager Revella:** Yes. It's in the union contract. I don't remember from the contract. It's hourly, CSEA.

**Trustee Pearson:** They're hiring from within?

**Manager Revella:** We advertise from within because we're required to because it's a union contract. There were 2 people that were eligible.

**Trustee Pearson:** Rehab loans, do we have a lot of those out?

**Manager Revella:** Yes.

**Trustee Pearson:** Can you tell me at some point, maybe not tonight, but how much money is out there?

**Manager Revella:** Yes, we have that. It's in Edmunds now so it's little bit easier.

**Trustee Pearson:** When we go to a sewer line or something, I'm just looking at 32 North Montgomery Street. They did a camera thing for. Do they have to redo the sewer line or they just camera that?

**Manager Revella:** They just camera that and see if there's an issue on our line.

**Trustee Pearson:** Police, have we done anything with the heat down there?

**Manager Revella:** That will be talked about tonight. I have a couple different proposals to go over.

**Trustee Pearson:** Security. Where are we with that?

**Manager Revella:** Just waiting for parts to come in.

**Trustee Pearson:** So, the window is designed?

**Manager Revella:** Yes. It was already approved.

**Trustee Thompson:** The meeting that you had with the town. Is there any resolution yet about the summer camp?

**Manager Revella:** Yes, they were given the information that they needed to be a little more educated on the matter.

**Trustee Thompson:** So, they're reviewing what we presented.

**Manager Revella:** No, they know what we presented is accurate. They'll review other municipalities. They're not going to affect us.

**Trustee Thompson:** I see there are no code violations listed. I did take several photographs and I apologize to my colleagues, I forgot to send them. I will do that for everyone in the next day or two. We're opening the Community Center and I just wanted to know, does the Building Department do the fire safety inspections on all of our public gathering places?

**Manager Revella:** Yes.

**Trustee Thompson:** Are we all up to date with all of that?

**Manager Revella:** I don't know for all buildings. For that building it is.

**Trustee Thompson:** Can you check on that?

**Manager Revella:** I'll ask him.

**Trustee Thompson:** Under the responded to residents requests, I know the office is very busy and there have be some things taking place in there, but I have had several complaints from residents feeling like they don't have enough accessibility. They say that phone calls have not been returned. I have no clue if that's true or not. I'm just letting you know that there have been some dialog in the community about that. I said that I would inquire about that. I was going to ask you about the Greenway Grant, if we know why you were denied.



**Manager Revella:** I don't. I asked if they could check through the application, because I didn't get the application response back. I don't have the link. But I asked the people to check.

**Trustee Thompson:** I'm just curious because I know the last time we applied, they said the application was very strong. I was under the impression that our application was also very strong this time. I'm just curious what else we need to do to try and get that. Since we did not get that, are we taking something off of the project or back?

**Manager Revella:** We already did that before.

**Trustee Thompson:** Meter replacement, how are we doing village wide with that?

**Manager Revella:** Terrible. We had a good handle on it, making good progress and then the FCC stopped broadcasting for the 3G, which the end points that we had were designed for. Now we had to switch all those to 5G. They have to go back to the places that already did and switch those end points from 3G to 5G. Just the end points, not the whole meter.

**Trustee Thompson:** If you had to say a percentage of the village.

**Manager Revella:** Half.

**Trustee Thompson:** Is that about where you wanted to be at this point?

**Manager Revella:** No. But we did get additional staffing with the board's help, we were able to fund another staff member to try and help catch up on some of those things.

**Trustee Thompson:** When I mentioned about residents being unhappy, people that watch the meetings, are asking when are we going to give them the information about getting the insurance for their water and sewer lines?

**Manager Revella:** We don't have information on insurance. We were just going to get a letter just saying that that's something they can do.

**Trustee Thompson:** That's what I'm referring to. The information or the options. We were going to tell them or suggestions that they could do.

**Manager Revella:** It's ready.

**Trustee Thompson:** The parking lot behind the old town hall. I know that's private property. It looks absolutely horrible. The signs are falling down. Is there any way we can contact the owner of the property and ask them to clean up that mess?

**Manager Revella:** So, behind the corner lot?

**Trustee Thompson:** Yes. It really looks terrible and it could be improved, I think, with very little expense and very little time on the part of the owner.

**Manager Revella:** I just don't know the number on that.

**Trustee Sebring:** As far as advertising for the part time for the office. How far are you reaching out and to what newspapers?

**Manager Revella:** It's national because we did online as well, through Indeed. That, Facebook, website and the local paper and around the building too.

**Trustee Pearson:** How many people have you gotten?

**Manager Revella:** On Indeed? A lot. Physically, in person that came in, a handful.

**Trustee Sebring:** The end points. You were saying that now you got to go back and replace all the ones that put in, are the end points, the ones that you're replacing. Is there are ones going bad because of just age?

**Manager Revella:** There are some. It's going to happen.

**Trustee Sebring:** You got well 8 back online, what did they have to do with well 8?

**Manager Revella:** There was just a piece that was messed up. They had to wait for the part to come in. Didn't take too long.

**Deputy Mayor Carley:** The risk assessment. That was just a financial thing that we look at every so often?

**Manager Revella:** No. This New York State Comptroller. They sent us an email a week ago saying we're going to do a risk assessment with no explanation what that might entail. I responded saying we already have an auditor coming. Can we reschedule this for a time when our auditors aren't here already making these demands on us? And they didn't really respond to that and said they will be here on Thursday. I advised that we have some people out that can't talk to them, so just make sure they're aware of that. Not trying to be rude and not accommodate. We have other people here doing audits at the same time. They're coming back and will be back again and again. I know that Maybrook has had them there for 4 weeks. Not every day. But frequently.

**Trustee Pearson:** They must be asking for something. They ask for certain things.

**Manager Revella:** Audit stuff, which we're already doing, which is kind of interfering with the workflow as it is. Our auditors are asking for stuff they need in a certain order and the Comptroller is asking for some other order, it's not really conducive.

**Deputy Mayor Carley:** The Milk Factory, is that 29 Grant?

**Manager Revella:** No. Milk Factory is when you go up 208 towards Wallkill on the right. The big, huge brick building that's kind of falling down. Butts up to the Rail Trail. The idea is to revitalize that into a hotel/restaurant, bars, and have the trail link from that building into the Rail Trail.

**Mayor Ramos:** End points, are we just using inferior technology?

**Manager Revella:** It's what they gave us. They gave us these end points that were 3G based. That's what they had as a technology that was available. The FCC stopped allowing broadcasting for them and said they had to go to 5G.

**Trustee Pearson:** Do we have to pay for that?

**Manager Revella:** Not full. We got credited for what we didn't use.

**Mayor Ramos:** Close out period for the position is in the month for the part time?

**Manager Revella:** It's soon. I don't remember the date we put on it. This Friday.

### **Approval of December 20, 2022 & January 9, 2023 Special Meeting Minutes**

Trustee Thompson made a motion to approve the December 20, 2022 minutes. Seconded by Trustee Maher. 5 ayes. 1 abstention (Trustee Sebring). Motion carried.

Trustee Sebring made a motion to approve the January 9, 2023 Special Meeting Minutes. Seconded by Deputy Mayor Carley. 4 ayes. 2 abstentions (Trustee Thompson and Trustee Pearson). Motion carried.

### **Public Comment**

**Mary Ellen Matise:** Introduction Local Law 1, Short Term Rentals. Is this the same information that was given out at the last meeting? Has this had input? Because the whole discussion of the minutes was to give the manager input and he was going to collate stuff. Nothing was added, this is the same stuff.

**Manager Revella:** No, not what you have in your hand.

**Mary Ellen Matise:** Just quickly reading this, some of this makes no sense to me because if you're only talking about single family homes and then part of the definition is where you're renting out one room in a single family home, that means like I'm renting to a stranger in the bedroom next to my bedroom. Is that what that means? I mean, if it's a single family home and you're just renting out one room. Isn't that what that means? That's what it says to me. Yet you're excluding somebody who might have a 2 family home where they would use the apartment, which might be smaller than the main area that they live in, that they might be renting that out as a short term rental. It's a privacy issue in terms of what we're really aiming at here. Or are you just really aiming at people who go away for 3 months out of the year and they're renting out their whole house? It's kind of not clear. I don't think to me. Just saying that you're renting out one room in your house, it's sort of a bizarre. I did go on the internet to look up under Airbnb Walden rentals and everything. The things that show up are in the town mostly. Somebody had made a comment when you first started talking that this is happening in the village, but I didn't see anything online. So, how are they advertising? Which is maybe another consideration here that you're not talking about how they're advertised. Some of these things can become a security issue. I would never rent my house out to somebody even for a month. But it does say that we're excluding month to month rentals, which are normal regular tenancy, which is a permanent tenancy, even though people might only stay for a month this year.

### **Intro to Local Law 1 of 2023 – Short Term Rentals**

**Attorney Donovan:** Let's go back to the beginning. The issue came up are you interested in the regulating short term rentals? Let's take a look at what other folks have done. I just presented you with what we've done at Village of Goshen. Trustee Pearson had pointed out what some other communities have done, gave copies of those local laws. I just translated Goshen's making it part of the code. It was presented at the last meeting with the idea that there would be more comments to the manager and determine if there were going to be modifications for discussion. Heard from Trustee Thompson, what I kind of call global, almost like the policy related as opposed to subdivision b should say this and not that. But there was global questions, good for board discussions. Didn't hear from anybody else. So, there's no changes here. If the board needs more time, want's more time. Holidays are not a great time, other things take precedence than a short term local law. As I like to say, these this is your local law. Not mine. I don't take any criticism personally. It's just an example. Trustee Pearson provided other examples. I think the questions

have been raised by the board, how do we enforce this? Do we have sufficient staff to enforce this right now? Because it's always great to have a local law, but if it sits on the shelf and it's not enforced, perhaps it's not such a great local law. This is this is your local law. Whatever you think is in the best interests of the village for you to do, is what I'm happy to put in here.

**Trustee Sebring:** I just noticed in permit applications shall be accompanied by proof of liability insurance for \$1 million. That would probably scare a lot of people away. Or they would rent the place out without even thinking about that. That's my issue. How would you regulate that and be able to enforce that?

**Manager Revella:** Most places, most people will have to give certificates of insurance to do permits that show that same liability coverage. It would be a similar type of thing they would have to send it in with their application or registration. I would think. A million dollar liability isn't what you think. It's not as expensive as you think it is.

**Trustee Sebring:** I read through this thing here. It's long, but I believe that we've covered most of it by other people's benefit by them doing their due diligence. I believe that satisfies maybe us. Then again, maybe 2 months down the road, another question.

**Trustee Thompson:** As Mr. Donovan said, I did send in some concerns. I did not, as he said, go through each section of the proposal. I just think this is way too vague. Enforcement is, I do not see how we're going to be able to enforce. I believe Trustee Maher said some of these are already operating in the village. Do we even know where? Do we even have any rules for those? I think the answer is no. So we already are having issue with illegal rentals and all kinds of other things. I just see a lot of questions surrounding this and I appreciate the work that's gone into it. But I think we really need to tighten this up quite a lot. I heard what Mrs. Matisse said and I personally think whatever we do should be owner occupied and if that's the case, I'm not opposed to a two or three bedroom family dwelling. I know it says no multiple dwellings. Then this also has mention of accessory units on the property, which I thought we already have a law that says we do not want that in the village. That's also in here. So, why would we approve that in here unless we're going to invent that law?

**Manager Revella:** That could be something that Dave could strike.

**Trustee Thompson:** I still think there is to be a lot of back and forth dialog on this before we sign off on anything. I think there's quite a bit of language that I would like to see changed and be a lot more specific than it is in here for our village.

**Trustee Maher:** I think it's a good start for trying to form some sort of regulations around short term rentals. There's obviously some things we would have to tweak and work on. I had a few written down here that I don't quite agree with. 305-86c.

**Attorney Donovan:** That was a limitation on the number of permits per year. Again, that's the Village of Goshen and they had a lengthy discussion and majority of the board wanted to do what these, basically "Snow Birds" and if somebody was going to go south for the winter, generates income from their house. This is the way to do it. Whether that ultimately litigated, I don't know. That was the direction the Village of Goshen wanted to take. This is not Goshen, this is Walden.

**Trustee Maher:** That just seemed a little strange to limit it. That makes sense now. And that's currently happening. That's something I'd like to revisit is if we're going to enforce it, I don't know if the 16 weeks would be something that we need to look into. Then 305-85 section 5. A notarized statement that the short term rental property is owner occupied for more than 50% of the year.

That's just going to be so hard to enforce. I guess it's just saying sign a piece of paper saying, putting in good faith or is someone going to enforce that? I think just a little more detail around that is needed. 305-84. Owner occupied property only being used for short term rentals. I see both sides, I'm in favor and then I'm also seeing other sides of how if there is someone looking to have investment property here, I would see that being something that would benefit the village, in a limited form. I think I would need more information.

**Manager Revella:** Like if somebody wanted to come visit Angry Orchard and needed somewhere to stay there's not a lot of hotels around here.

**Attorney Donovan:** Sometimes we see like, where did that come from? That was actually addressed in specific issue where somebody pointed at the house with no intent to ever live there. Then they would rent it to Lynn. Who would never going there and she would rent it to Becky and money. So, there is no connection. Let's say in a quiet residential neighborhood, happen to have a pool on the property and it's party central. It was a nightmare for the PD. I could say this is the only one the Village of Goshen has ever had a problem, it was probably 4 years ago. This was adopted in large part to address that, which has not had a problem since then. But that's where that comes from. Someone buys it with no intent to live there, rents it to someone with no intent to actually be there, who rents it out to somebody who has a party.

**Trustee Maher:** There were a few other things, but those were the 3 big ones that I just need more research done on. I would like to talk about possibly sitting down looking at the village map. Are we going to restrict this to certain residential areas or are we going to limit the percentages of short term rentals that we're going to allow our village? As far as it happening out there, I did see some a while ago. I haven't seen any recently, but there never advertised on Airbnb. They're always on like Facebook marketplace or Craigslist.

**Attorney Donovan:** Actually, Airbnb has its own regulations.

**Trustee Maher:** It's a good start. But I think we need to definitely dig into some of the meat and bones here.

**Trustee Pearson:** Who brought this up? Did someone on the board bring this up?

**Manager Revella:** There's been people advertising and the Building Department brought up the issue and how to regulate it.

**Trustee Pearson:** We're concerned about getting your landlord registries taken care of and people aren't signing up for those. Everything I'm reading is enforcement, is almost impossible, basically. Unless you have a clad tight law, they're going to come back. You just can't have one definition. You're going to have to have a definition for BnB. All those definitions should be in here so that when somebody comes back before in the case and says I'm just renting it out for this, well that's what that is and that's not what this is. You have to have that for the judge. This law, to me, needs a lot more. I would be happy to sit on a community if somebody wants to sit with me. I have pages and pages of definitions. What a Class A development is versus a Class B dwelling and what those definitions are. Hotels, boarding houses, boarding schools, private dwellings, private families, what the short term rental is. There's so many other definitions to be had in there to protect ourselves, if we want to move forward with this. I've thought about this for a long time. If we don't have the law on the books, then it really can't happen, basically, right? That's really what I've been told by attorneys. I drove home the other day thinking about that. So, why do we want this law? Is it for developers and people who are buying homes that want this law to be able to make more money? Are they renting it out? I don't know where this is all coming from.

**Manager Revella:** You're saying right now if I want to rent a place for 4 days, it's illegal? Because it's not. That's the problem.

**Trustee Pearson:** I've been told by attorneys that if we don't have it on the law.

**Manager Revella:** For zoning. If there's no zoning that allows it, it's not allowed.

**Trustee Pearson:** We have short term rentals allowed?

**Manager Revella:** What is a short term rental?

**Trustee Pearson:** Exactly.

**Manager Revella:** So, it might be allowed. It makes sense to try to clarify things and come up with a regulation to assist the building department.

**Trustee Pearson:** So, put that in our code book instead of doing the whole thing for the short term rental.

**Attorney Donovan:** The one problem we had in the Village of Goshen we had, we brought the Building Inspector and myself, the enforcement proceeding, the theory that anything that's not specifically permitted is prohibited. And the folks who had the investment hired an attorney, we litigated back and forth. He presented some case law that I didn't agree with. Ultimately they just sold the property. So, it never got fleshed out judicially. But there is that theory that it's not specifically allowed. It's prohibited. You get into a lot of minutia on whether or not a residential use of a rental is permitted or not under what circumstances you can do it. What's short term? I don't disagree with the definitions. My only concern and we've discussed this before is you don't want to have competing definitions. So I would feel better for whatever definitions if you put them in the short term rental, the general definitions. So, you don't have something that's inconsistent.

**Trustee Pearson:** Of course, you're going to have a permit. Owner occupied, non-owner occupied, quiet hours, designated host. These are all definitions of this. Which should be that. Designated host, primary residence, non-primary residence. Those are all pertaining to the short term rental permit. Housing unit dwelling, immediate family resident agent. All those should be definitions as far as I'm concerned. The purpose of the law, to me, Legislative intent. Short term rentals could benefit the town residents for allowing homeowners to supplement their income to defray cost of housing, to remain in community and enjoy. I think things like that should be written in that part of it, not just to say they're permitted in the village. Then we're going to go to what documents you would need. The Building Department would need documents. Talk about the legality, sales tax, license, permit to permit the community for short term rental, proof of ownership of a home. Sometimes they want site plans. I can keep going. There's so much that we have to look at. I'm not comfortable with this law. If somebody would like to sit on a committee with me and wants to do that, I'm fine. If we even want to move forward.

**Trustee Maher:** I think a committee is a good idea.

**Trustee Pearson:** And bring it back to the board and say this is what we're thinking. We don't want people living in and renting out their attics and their basements. I talked to the Building Inspector this afternoon. When you have one room, it's considered a boarding house. How do you regulate all of that?

**Manager Revella:** It's not. Is there a way to regulate, people are doing it already. That's what we gotta make sure.

**Trustee Pearson:** What are you going to gain out of it?

**Manager Revella:** You can bring them and go to court or before this board.

**Trustee Pearson:** Then what? Then next year they're back to renting it again. Unless you put in the law that you're not able to rent again. Usually, most laws are stating if you violate anything that is in your short term rental agreement of what we're permitting, then you will not be renting again till next year. A lot of them regulate how many are in the neighborhood. There's so much to look at here.

**Mayor Ramos:** I think a committee would be justified with this. Anyone want to volunteer?

**Trustee Thompson:** I'd be happy to sit on a committee for this.

**Deputy Mayor Carley:** Respectfully, I don't think we're going to be able to enforce this. It's just going to become something that, we're challenged now with enforcement in the Building Department. I don't know how this is to make things easier or better. If I have a way to fix this, you already stated that the Airbnb already has rules, criteria for them. Why not just say, the Village of Walden can only have Airbnbs and they have to follow that Airbnb law. That's it. Then it will kill all these little wannabes and all these moneymaking engines that are out there so that you could do business and you could enforce. That could be more airtight versus short term rentals.

**Attorney Donovan:** Perhaps the suggestion would be to adopt, not to endorse Airbnb, but adopt those rules and regulations. I just know that they exist.

**Deputy Mayor Carley:** I just put it out there because if you're saying that they have a more stringent rules and criteria. You can have 1 room but you can't have 2 rooms. That's going to be really difficult to prove, that someone is living for 30 days or more than 30 days in 2 rooms versus 1 room. I think it is a bit exhaustive what's in here that's right or wrong. Like short term rental, 2 or 3 days, bedrooms, number of days. All these things that we just went through. It talked about suspension. We need a criteria for suspension. If you get suspended and then you let me do it, then somebody says, well, why didn't he get suspended? So, it has to be all those little things. I think that should be spelled out that we cannot enforce because I don't think we have a capacity to enforce it.

**Mayor Ramos:** I agree on the capacity of enforcing this. This is this is too broad. It would be difficult to maintain when we have 3500 homes in the village specifically. With the new structures that are up. Probably the committee would look at, I have a few issues that the resident agent, obviously the sentence, the authorized representative, this is 305-83, property owner/landlord who resides within the designated boundaries of Orange County, as defined as the time of the issuance of the permit and needs to be contracted for all emergencies and other matters. If you want to look at Snow Birds, if they're in the State of Florida, who are they're going to designate in this local area in the confines of Orange County to respond to incidences at the residence? Second state law defines short term as 30 days and under. What happens when you get to 32 days and the person just doesn't want to leave and maintains possession of the room, the apartment, whatever it is? Now you have to evict them.

**Manager Revella:** But that's not our problem.

**Mayor Ramos:** That's the owner's problem. But as we allow that type of activity to occur, if we

don't put strict guidelines in this law, who pays the fine, the violation of any ordinances or anything else when the person disappears? Does it resort to the homeowners?

**Manager Revella:** The owner, relevy to the property.

**Mayor Ramos:** Section c305-85, we need to outline what kind of inspections are the Building Inspector's going to do. Whether it complies with the village code and applicable New York State codes. We need out on fire inspection. The Building Inspector needs to see egress from an apartment. Could be an attic without having to enter the building in the event that there's a fire. That was my primary.

**Trustee Sebring:** 305-85 item 6, short term rental properties not served by the municipal water and sewer, which all houses in the village should be serviced by water and sewer. Correct?

**Manager Revella:** There is less than a handful of each.

**Trustee Sebring:** This here, the way that's written that if you own vacant property, you can rent it for a weekend for someone to have a party.

**Manager Revella:** Absolutely.

**Trustee Thompson:** Wouldn't we have to follow our table of use regulations? That's part of it. Which are already in effect.

**Manager Revella:** There were a few of the definitions that Trustee Pearson mentioned are already in our code which would apply. But there's some that need to be tweaked either way.

**Trustee Pearson:** Is it even feasible to have a committees if people aren't even going to vote for this in the end. Because I don't want to spend hours and hours going over this and each item and thinking and doing. Is that something that we want to move forward with?

**Trustee Sebring:** I feel it as far as enforcing it, it is going to be a major problem.

**Trustee Pearson:** Maybe we should ask the Building Department.

**Trustee Sebring:** But what if these people come in the night time and they're closed?

**Mayor Ramos:** Most Arbnbs you can't get into 4:00. Are you are you willing to go forward with this? We can leave it as information. Just to gather facts and then report back to us.

**Trustee Sebring:** I would say let the committee really think that over. That's my opinion. Have one or two meetings and hash it out with the Building Department.

**Trustee Thompson:** Trustee Maher and Deputy Mayor Carley both said there's very strict guidelines for these Airbnbs that are done legitimately. With what we have already and what we can discuss with our attorney, I think if the board wants to move forward with this, we should perhaps use those rules and regulations from the existing Airbnbs and use them as a guideline and see what we can incorporate with those that are already in place and working for people that are already operating these legitimately and maybe incorporate that and see what works best for the village.

**Trustee Maher:** Just for clarity, this is currently not being regulated. Either we continue with that or try and form some sort of rules and regulations to protect the safety of our residents. That's the



ultimate goal. I think the committee is the smart idea.

**Deputy Mayor Carley:** To form the committee and do investigative work can't hurt. Can always say that you came back with more information. However, bottom line, if there's a committee, great. They do their work and then bring back information. That can't hurt. It is some time that you'll have to spend. I just don't see the silver lining.

**Mayor Ramos:** I'm in agreement with all type of information gathering.

**Trustee Thompson:** I think the manager is interested on being on this committee.

**Manager Revella:** The Building Department as well.

**Mayor Ramos:** If you can do a favor for the board itself, just outline what are your charters and what you're going to do, who's going to be on it and give it to the board.

### **Resolution 20-22-23 – Designating Place and Time of Annual Elections**

Deputy Mayor Carley made a motion to adopt Resolution 20-22-23 Designating Place and Time of Annual Elections. Seconded by Trustee Maher. All ayes. Motion carried.

### **Village Policies**

Trustee Thompson made a motion to approve changes made in the village policies. Seconded by Trustee Sebring. All ayes. Motion carried.

### **Tow Fee Policy**

**Manager Revella:** This is really for discussion because I don't know if anybody has seen this before now. It's from 2013. The fees are kind of getting outdated. I gave an example of what the Thruway has on their fee schedule. Most of ours are still pretty market rate, except for the mileage charge, which is not here. The only suggestion for potentially adding. The rest are pretty close.

**Trustee Thompson:** What is the mileage charge that you're proposing?

**Manager Revella:** The one that they have from the Thruway authority is \$7 a mile.

**Trustee Pearson:** Who gets called?

**Manager Revella:** Whoever applies for the permits. PD rotates through the list.

**Trustee Pearson:** Do you know how many people we have on the list?

**Manager Revella:** No, not right now. Some years it's more than others.

**Trustee Pearson:** When you tow cars when it snows, can we tow them to some place in the village so they don't have to pay a fee? Some of these people are renting. I get it's hard. They don't have a garage, some don't have a driveway. I was thinking the DPW has you have that property in front of DPW that one can be towed there.

**Manager Revella:** Because then we're responsible for the car. It's a big liability. There's not a fenced in yard where it's protected with cameras and lights and security.

**Trustee Pearson:** It makes sense to me to help the community in a way we could if we had a place to put them. The police could go down and get the car back to them. Just trying to help. I get that

we're not a business and we don't want to do that, but we could put a fence up.

**Trustee Sebring:** How far away are these tow operators from? Like if they're from Newburgh, that's an extra \$70, around there.

**Manager Revella:** The problem right now is not getting any tow companies to come out.

**Trustee Sebring:** I understand that. So, that's an extra \$70 thrown on the tow bill which hurts a lot of people. Then again, if you can't find tow operators, you're stuck.

**Manager Revella:** It is a danger because we have had some incidents where plow trucks can't clear because the cars aren't moved. Can't clear the road properly.

**Trustee Sebring:** I don't like the \$7 per mile. I don't know what we can really do about that.

**Manager Revella:** These are our fees. They're not allowed to charge outside of this schedule. They are actually too low, that's the problem. We don't have any companies coming in. Some of them are close. That's why I was using the Thruway as a guideline for this kind of a base, because the Thruway guarantees a certain number of tows. We're at, or lower, than them. We're within the range. At the low range, which is where we should be for our residents. I think it's nice. But to try and get some companies to come in and do some towing, you may want to consider it.

**Trustee Pearson:** What's the speedy dry?

**Manager Revella:** If you drop oil or something, any kind of hazardous material. They put that down, scoop it up and throw it out. Hazardous waste.

**Mayor Ramos:** Tow trucks are required to carry that.

**Manager Revella:** I can do an updated fee schedule for next time.

**Trustee Pearson:** I agree with Brian on that \$7 a mile.

**Manager Revella:** Can work on that.

**Deputy Mayor Carley:** The thing is, we can say, only a dollar a mile and then it's okay and you can do what you want. They're not going to come here for a dollar a mile.

**Trustee Pearson:** Is it basically because of snow?

**Manager Revella:** The majority is snow removal and car accidents.

**Trustee Pearson:** Can you put a stipulation on that it's going to be towed somewhere in the Town of Montgomery and not to Newburgh or Jersey or Milton.

**Manager Revella:** There's only so many tow companies around that will actually come and tow.

**Trustee Pearson:** Who usually comes here?

**Manager Revella:** Right now, Ken's and Quality.

**Trustee Pearson:** Isn't there a Pat's?

**Manager Revella:** Sometimes. I don't know if they're on our list right now. I have to check with PD.

**Trustee Thompson:** I'm going to guess most of the people in the village have no clue what these fees are. Would it be helpful if we post this somewhere so people understand if they don't get their car off the street in a snowstorm, it's a pretty hefty price tag that goes along with that. Maybe that would be a little bit more incentive for some people to try a little harder to find a place to park the car.

**Manager Revella:** Yes. There's a snow policy, here's the fee schedule.

**Mayor Ramos:** And on top of that, they get the violation.

### Restore NY

Tabled

### Manager Contract

**Mayor Ramos:** Everybody had a chance to review that?

**Attorney Donovan:** If you're going to take any action, if you have legal questions, should be answered in attorney-client. If you're going to adopt the contract, then that needs to be done in public. Modifications that were made are relatively few. The date on the very top of the agreement may effective June 1, 2022. Contract expired May 31, 2022. The Section 3 subdivision b, in the event that the manager was terminated without cause, the loss sum of cash payment went from 10 to 12 weeks. Then Section 21, agreement effective as of June 1, 2022. Signature line is from the prior mayor. Otherwise, it's the same.

**Trustee Thompson:** Just section 11 about the automobile. We haven't provided our manager with an automobile, if that's what it says in his contract. I think that's something we need to address. Section 7, the part about the evaluation. I think we could do better than we did. But this doesn't have to do with us signing it. I think we definitely need to work on a new evaluation for him. Otherwise, I don't have a problem.

**Trustee Pearson:** Give me the dates again? June 1, 2022 to?

**Manager Revella:** May 31, 2024.

**Trustee Pearson:** I always had concerns about the amount of hours that's allowed other than village work. But I'm probably the only one.

**Deputy Mayor Carley:** We can adopt it I'm good.

**Attorney Donovan:** Section 11. You don't have a car?

**Manager Revella:** At the moment. It's ordered.

**Attorney Donovan:** The village will use its best efforts to provide a vehicle.

**Mayor Ramos:** It is beyond our control.

**Trustee Maher:** Just to piggyback what Lynn said, with having a newer form for next year, but

also a time frame for deadline's, completion. More clarity around the whole process.

**Attorney Donovan:** My suggestion for that, not in the contract, I think that should be a policy.

Trustee Maher made a motion to adopt Village Manager contract with modifications. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

### **Town of Montgomery Ambulance IMA**

**Attorney Donovan:** Do you want to handle those in open session? I don't know if the board has any specific questions that require legal advice or that you want to do in private session and then vote or not vote in public as you deem fit. Or are you prepared to move forward? I think there was a question about the insurance. Basically, you don't get new insurance for this purpose. This is just saying you have general liability insurance.

**Trustee Pearson:** But you had said you were going back and forth with the town about an insurance issue.

**Attorney Donovan:** If you look at the end of paragraph 8, it was language, this is about indemnification. Where it was added in, they asked us to do it. So I asked them to do it. That addressed the concern I had there. I don't have any issues with this agreement. Basically, it covers the period from today to the end of the year. You voted to be in the district, so long as you're satisfied with the \$136k and the ambulance service that will be provided. If you have any objections or questions, those should be directed to the Town Board. They are the administrators of the district. That's not to say if a person Scofield Street has an ambulance call, they're obviously free contact the ambulance service director. It would just be if it was a question that this board had or an issue they have that goes to the Town Board because they're the administrators of the district. Then come January 1, 2024, you remember with the district, that's the end of the IMA.

**Trustee Pearson:** John, do you know if when next year, we'll be paying the same amount of money per household or what's going to happen?

**Manager Revella:** They kind of tried to make this amount in this agreement similar to what the taxpayers would be paying, would they have in the tax district? Should be very similar, per household.

**Trustee Pearson:** I send you my question on that, because of the money is not making sense to me because at one time they said 800k, now it's 785k or whatever. Minus the 136k. It's only 600 something for the town. So, we are working off a number of 785. Correct?

**Manager Revella:** Right. Minus ours from that total. Just for clarity, a couple of little things. On number 11 and 13, it says Brian Maher, he's not the Town Supervisor now. That needs to be updated.

**Trustee Thompson:** Just a little confused. It seems like it's called something different throughout. What are we calling the Ambulance Corps? Called a couple different things. Walden Ambulance Corps. Town of Montgomery Ambulance Corps. Montgomery Ambulance.

**Attorney Donovan:** The defined term is Montgomery Ambulance. Where else?

**Trustee Thompson:** It's the very last "Whereas" on page 1. I thought it was somewhere else. I highlighted things, but I don't see it here. I guess it was just that first page. I just want to be sure it's okay to ask this. We currently have liaison people with the Ambulance Corps, so are we no longer

supposed to be doing that? No longer supposed to be attending their meetings or participating?

**Attorney Donovan:** That news to me.

**Manager Revella:** It's a public meeting.

**Trustee Pearson:** Can go as a private citizen.

**Deputy Mayor Carley:** When we say that we can have a board member go to a public meeting and find out what's going on. They're still a board member. They may say the board, all of us, but that person was a representative. Because now we're saying don't go to their meeting public \*inaudible\*

**Trustee Thompson:** It's Brian, myself and Becky. We get an e-mail invitation on a calendar from the Ambulance Corps. inviting us to come to their meetings. Technically, we're there to hear the first half of the meeting and then we can leave when they start discussing their official business. I don't know if we're still allowed.

**Attorney Donovan:** When you go to these meetings, you go and listen? Or you go and engage?

**Trustee Thompson:** We go and listen. Sometimes they'll ask us a question or we'll make a comment. But mostly we listen. It's an informative session.

**Trustee Pearson:** They give the report about how many calls they go on, more of an information meeting. Before when it was happening, it was because of the ambulance getting together. Now, we're just questioning whether we can go just as a person.

**Attorney Donovan:** Any knowledge whether that ambulance company will continue to do that?

**Trustee Thompson:** We just got invitations up until March.

**Attorney Donovan:** The way the agreement reads would indicate to me that you can go.

**Trustee Thompson:** I just don't want to get into any legal issues for the village.

**Attorney Donovan:** I don't see any prohibition for attendance. It says communication. Communication to me is a verbal statement or a written communication. Letter, e-mail. Something along those lines. Your presence is not a communication.

**Manager Revella:** The point was to make sure that any grievances are addressed through them. That was the point. They wanted the grievances to through the Town Board which oversees the district no from the Village Board.

**Deputy Mayor Carley:** If somebody goes there and says they have a question and now you're in violation of this. Or somebody can go back and say Trustee Thompson said this. That's all I'm saying. Then we should discontinue going to the meeting.

**Attorney Donovan:** I don't know that you want to do that.

**Trustee Thompson:** We can always watch the livestream.

**Attorney Donovan:** We have 3 options, 1 is to do that. 1 is to ask for written consent from Montgomery. The other is to have me go back to the town and try to work out a carve out. I'll do

whatever you want me to do.

**Trustee Pearson:** You're really only talking for this year. It's going to be up in December.

**Trustee Thompson:** Our situation with the town was a little contentious. I feel like this is a good thing for us to go and listen and I don't know, not make a good faith, just to be informed and to have good feelings with them.

**Attorney Donovan:** If I were to say, that this IMA was passed with the understanding you would still be able to continue to attend the meetings. Because when you go you just listen, correct?

**Trustee Thompson:** Pretty much.

**Attorney Donovan:** But if you come back with a question and that question is \*inaudible\* that's fine. I will confirm that going to that you get invited to, to just listen, is not a violation.

**Deputy Mayor Carley:** There have been some contentious things going on and we don't want someone come back and say she didn't ask that question and then get kicked out.

**Attorney Donovan:** The answer to that is, don't ask questions at the meeting.

**Trustee Thompson:** I don't have a problem saying we shouldn't discuss that.

**Deputy Mayor Carley:** I'm just putting it out there.

**Trustee Sebring:** They have offered for us to stay at executive session. The first one that I went to. I got up and walked out because our executive session are not for the general public. But then they said you could stay. As far as going to the general meeting, I think that should be allowed. Executive session. No, because that's when confidential stuff could be talked about, whereas that all should go back to the Town of Montgomery.

**Attorney Donovan:** I think going and listening is fine. Whatever you're comfortable with, my recommendation is that you adopt and move on. I will let the Town Attorney know this is done specifically with the understanding that in response to the request that you can still go.

**Mayor Ramos:** I wrote my response to the Village Manager. Section 8, are we getting a separate insurance?

**Attorney Donovan:** No.

**Mayor Ramos:** They have an accident here in the village, the village will not be in the defendant's part of.

**Attorney Donovan:** Not unless Fred hits them while he's on duty. \*laughter\* In all seriousness, Town of Montgomery Ambulance is dispatched, there's an accident with a private citizen, the village wouldn't be involved with that.

Trustee Sebring made a motion to adopt the Town of Montgomery IMA with said modifications. Seconded by Trustee Thompson. All ayes. Motion carried.

### **PBF Request – Bike Show**

Trustee Maher made a motion to approve PBF Request for Bike Show on July 29, 2023. Seconded

by Trustee Thompson. All ayes. Motion carried.

### **ARPA Funds**

**Manager Revella:** I know we had a discussion a while back about repairs to Village Hall and use of ARPA funds, so to make sure that the repairs for the heat and AC on the first floor, that's in that purview. Just want to make sure we're on the same page.

**Trustee Pearson:** Did we get amounts yet?

**Manager Revella:** I have two quotes from two companies. I have the engineer and the Building Inspector look at them to make sure they're apples to apples. There's a couple things that aren't the same.

**Trustee Pearson:** Different things will be done to rectify the situation.

**Manager Revella:** Two different ideas to resolve the situation. Just want to make sure that this work is encompassed in that approval.

**Trustee Pearson:** How much money do we have left?

**Manager Revella:** A lot. Have to do the floors still. Some other things in the village office.

**Trustee Thompson:** Are both of these bids comparable as far as the monetary amount?

**Manager Revella:** I'm not going to say who they are. One is for \$23,000 and the other is \$15,200. But they're not identical bids.

**Trustee Sebring:** As long as Lanc & Tully realize that they may be trying to rectify the situation in a different way. But then again, does that does that go against the bid because you're not apples to apples?

**Manager Revella:** We're working on that. Is that a consensus?

**All:** Yes.

### **Public Comment**

**Mary Ellen Matise:** Going through definitions, short term rental. Maybe you want to think about this too, because you're going to key off what was here in b, whether money was taken or not for a period of less than 30 days. 30 days what per tenant?

**Trustee Pearson:** Consecutive 30 days is usually what happens.

**Mary Ellen Matise:** But that could be from different tenants coming in. Or is it less than 30 days? In February, the Montgomery Senior Center is having a Friendship Day for seniors. It's being done by the Senior Center, not the Senior Club. They have a paid person there and we contribute to that paid person salary through the a fund.

**Manager Revella:** From where?

**Mary Ellen Matise:** Village of Montgomery Senior Center. The town a fund pays for part of her salary at the Village of Montgomery Senior Center. They're starting to get back in their grove and not relying on their Senior Club. I'm bringing this up because March 29th, we're going to have

Resource Day for the Town of Montgomery Senior Independence Project and somebody from the Alzheimer's Society is coming. But I said, how about we start talking about to what kinds of fun things and what kinds of activities are out there in our community for seniors? This pizza thing would be one of the stuff that goes on there. Then I'm thinking, I'm bringing up this new building and what kind of programming we have? We have paid Recreation Aides. What kind of programming are we going to start doing for seniors here? Not everybody wants to drive over to Montgomery. We have our own paid staff and we're doing a lot for young people. But how about on the other end of the spectrum too. Another thing that I think the county is offering. They're coming to the Firemen's Museum. They're coming to the Village of Montgomery Museum. They're going to have lunch at City Winery. This is for seniors. Where's Walden? I'm just focusing on seniors for Resource Day because somebody from here should be coming to Resource Day and saying, this is what the Village of Walden is offering to seniors. We want to get the word out there. Ice on Clinton Street and Gladstone is just absolutely awful. Children have to walk to school down that street. That's that broken sewer line. I know that I was told that you're trying to see how you can address it. It's really bad right now and it isn't even that cold.

**John Vlosky:** 16 Hiddenvue Dr. I was here in November, my concern was about the enforcement of the environmental easement adjacent to my property. Trees that were cut down and a fence that was installed. Here to follow up on that.

**Manager Revella:** I don't think we ever got any copies of any conservation easement with that address of the property behind the house. I asked the Building Department to see if they have it, to give to the attorney, I'm unaware.

**Attorney Donovan:** No. I asked you if you got a response from the Building Department and they didn't have it.

**Manager Revella:** I'm not sure if you have a copy.

**John Vlosky:** Are you saying it doesn't exist?

**Manager Revella:** I didn't say that. I don't have a copy to give to them.

**John Vlosky:** Or you couldn't find it.

**Manager Revella:** They couldn't find it. I don't know where it would be in their office.

**John Vlosky:** There was an original and then it was written into every CO of every property on Galloway.

**Manager Revella:** If you have a copy and can get it for us, that would be great.

**John Vlosky:** I don't live on Galloway.

**Manager Revella:** I'm not sure how else to address it.

**John Vlosky:** This is about a year old. Before anything was ever done. Before any trees were cut down. Before any fences were erected. I went to the Building Department, voiced a concern. He said that he would have to look at it.

**Trustee Pearson:** Wouldn't it be on a site plan for development?



**Manager Revella:** I think it would be on the map, though. But I wasn't here when they made that approval.

**Trustee Pearson:** But there's got to be a map in the Building Department of the development.

**John Vlosky:** I spoke with Mike and he said he wasn't aware that there was an easement there and that's why he wrote the permit. Dean was aware.

**Manager Revella:** When I asked him, he couldn't find it. I'll ask Dean.

**Deputy Mayor Carley:** Can we make sure more comprehensive investigation on it with the Building Department. Not just based on his address, on Galloway and surrounding properties. I'm sure it's just not his address.

**Manager Revella:** Beazer Development.

**Deputy Mayor Carley:** Instead of focusing on his address, find out if it's more than just one.

**Trustee Pearson:** Is it listed on county properties?

**Manager Revella:** It wouldn't be listed on stuff that you would see online.

**Deputy Mayor Carley:** Do we need special permission from property owners or anyone else to look over?

**Manager Revella:** No, it's public record.

**Mayor Ramos:** By next Tuesday, maybe Wednesday morning, we'll have some word from the County Planning Department and other resources that we can review.

**Trustee Thompson:** Since this gentleman has been pursuing an answer for a year or more, I would like to ask if we could set a timeframe where we will try and have an answer for him. I don't think it's fair that he has to wait another year. I think even another six months is kind of a long time for him.

**Mayor Ramos:** Wednesday morning, John.

**Manager Revella:** You will have an answer one way or another.

**Fred Perna:** I was hired in 1994. The old policy stated anybody hired before 2010. So, according to the policy, I shouldn't be paying insurance. Now you just adopted this. I should already been moved out in 2017. So, really I shouldn't be paying for insurance. Correct?

**Deputy Mayor Carley:** I'm sorry, you said in 1994.

**Fred Perna:** I was hired in 1994 and the old policy was adopted April 5th, 2022.

**Deputy Mayor Carley:** You're in the non-union. That's what this is.

**Manager Revella:** Correct.

**Fred Perna:** As of the old policy. I should already been not paying 2017. Correct? Even though

you adopted this policy, I should already not been paying.

**Deputy Mayor Carley:** Should not be paying?

**Manager Revella:** Right now, Fred contributes a certain percentage towards health care, so does Mike Bliss. Chief Herlihy, he doesn't. It's just Fred and Mike who were hired before 2010. The only 2 left. It was Dean, but he's retired now.

**Fred Perna:** I was asked about my vacation time, because as of the policy, I had to pay back my vacation time because I was overpaid. In the same breath, I should be paid back because I was paying for my insurance. Instead of me paying back my extended vacation time, take that from what the village owes me from paying health insurance since 2017.

**Deputy Mayor Carley:** 1994 to 2017.

**Fred Perna:** 1994 I was hired. In the policy, it says after I started paying in 1994. But as soon as I got out of Union, I fell under the policies in 2017. So, as of 2017, I shouldn't have been paying.

**Manager Revella:** The policy wasn't adopted in 2017.

**Fred Perna:** I should fall under the old policy.

**Manager Revella:** Which means you should pay what you contributed.

**Fred Perna:** No.

**Manager Revella:** That's what Mike was paying. The same thing.

**Fred Perna:** I shouldn't be paying because the way you have the policy written.

**Manager Revella:** The page that you're talking about and what they're talking about is the one that was there is the one that was fixed.

**Fred Perna:** It's fixed now, but I should already have not been paying before you just fixed it. You fixed it today. But it should have been corrected in 2017.

**Trustee Maher:** We were correcting a policy we adopted on April 5, 2022. Correct?

**Manager Revella:** That page was the wrong page.

**Trustee Maher:** So, from April 5th till now, not from 2017 to now.

**Manager Revella:** Correct, the policy wasn't in effect in 2017.

**Fred Perna:** You want to go back to the last policy, I shouldn't have been paying by this policy that came out because you just changed the wording of the whole policy to where I should be contributing. But before that, I shouldn't have been.

**Deputy Mayor Carley:** Policy versus practice. If the policy says one thing and the practice is for all \*inaudible\*.

**Attorney Donovan:** The answer to that is it depends. I would really suggest an issue like this, two

things. One, you don't make a decision in the 3rd hour of the meeting. The second is you have labor council. So, if there's an issue of what should be paid, what shouldn't be paid, who contributed, didn't contributed. If there's a discrepancy, I'm not saying there is, if there's some sort of discrepancy or disparity between practice and policy, then you need to get with the labor council.

**Mayor Ramos:** Who was supposed to be present at one time or another.

**Manager Revella:** That was for the retirement.

**Trustee Pearson:** Are those the people you're talking about the three people?

**Manager Revella:** It was Dean, but he retired.

**Deputy Mayor Carley:** The question is, is there back that we owe him? If he's not supposed to be paying. I'm just playing the Devil Advocate.

**Fred Perna:** But in the same token, just like you said, the village says or you figure out that I should be paid back my vacation time because you only get to five weeks because I was in a union, I have whatever over that. I'm supposed to pay that back. It doesn't make sense. One is one way or the other. It doesn't make sense.

**Mayor Ramos:** You accrue what you earn. It's yours.

**Fred Perna:** If you're following policy, I'm following the policy because I stepped out with union from their contract back in 2017.

**Attorney Donovan:** I really would urge you to contact your labor attorney. I think the labor attorney is going to want to know exactly what the issue is. So, if you have a complaint to make, I would put that in writing. Then it is clear and concise to the labor attorney. That's my suggestion.

**Fred Perna:** Who do I send to the complaint to?

**Mayor Ramos:** Village Manager. What is our next step? Obviously, since we adopted, there is more questions. Do we forego the approval of section a?

**Attorney Donovan:** The only way to do that is make a motion to unwind, if that's what you want to do. Policies are made to be changed. You have an issue that may be a discrete issue of really talking about a limited number of people that it applies to. I just suggest that you give the labor attorney a short order and that will guide you the best way to respond.

**Trustee Sebring:** Get an attorney opinion and go from there.

**Trustee Thompson:** I agree. I feel like we should follow our attorney's advice.

**Trustee Maher:** Same.

**Trustee Pearson:** Same.

**Deputy Mayor Carley:** Same.

**Mayor Ramos:** I agree.

**Attorney Donovan:** My suggestion is that Fred to email John what your issue is and John gives it to your labor attorney.

**Trustee Thompson:** Since this involves more than one employee. Should each employee be putting this in writing to be reviewed? Or are we just going to address Fred's issue or are we going to incorporate the other small number of people that could be impacted by this?

**Trustee Pearson:** Fred's might be different than the other person because they didn't work at the same time.

**Trustee Thompson:** But the manager has already said there's a small group of people with the same type of an issue.

**Deputy Mayor Carley:** Just to be clear, it's an individual's call. Not the Village Manager's call, correct? What I'm saying is, Mr. Perna himself can send an email versus the Village Manager saying we have three individuals. So, he should say that for himself. The other two should say for themselves, not trying to be lumped all together.

**Attorney Donovan:** Well, certainly he can do that. But if it it's the same situation and any legal advice will be applicable for the same people in the same situation.

**Trustee Pearson:** This person worked in the DPW.

**Manager Revella:** The Village policies is what's wrong.

**Trustee Pearson:** He comes out of that, becomes a Supervisor. It becomes part of the nonunion. At that time, that was 2017. What Fred is saying from 2017 to now, he is owed that money, because he's paid for insurance.

**Manager Revella:** That's the gist of it. He is going to put it in writing to you to make sure it's clear.

**Trustee Pearson:** But this law didn't change until 2022.

**Manager Revella:** The first time it changed was in 2020. I don't remember the exact version, we have to find it. Then it changed again in April for the month issue that we found out and then just now, with the other issue.

**Trustee Pearson:** They were changed because things were missing from the original?

**Manager Revella:** The whole policy was changed in 2020. There was one that was I think it was 2014 or 16, then 2020 was updated completely.

**Fred Perna:** Do I need to FOIL to get those old policies or can I just get them emailed to me?

**Deputy Mayor Carley:** FOIL it. I'm just going to be very frank, because there's relationships, you don't want someone to say you did it for this for this person.

**Fred Perna:** I understand.

### **Payment of Audited Bills**

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

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

**Trustee Sebring:** The new senior center. Nothing to do with the building itself, but the security outside of having lights out in that parking lot. So, people are not walking in the dark to the building. That's something that should be done for security and safety for people.

**Trustee Thompson:** On the 16th the Walden Women's Club had a very nice awards presentation here for volunteers and the Girl Scouts. It was very well done and our library the CAC and the Girl Scouts were recognized along with library volunteers and several of the girls that participate in the Scout program. It was nice to see some of our young people honored.

**Trustee Pearson:** When you get the new agreement for the managers contract, I'd like a copy of that. When will we start talking about the garbage contract?

**Manager Revella:** February 7th meeting. RFP should be out by March 1st.

**Trustee Pearson:** Crosswalks, did you hear anything more from the state?

**Manager Revella:** They're not going to paint during the winter.

**Trustee Pearson:** Also where they just redid between Valley Avenue and 52. There's potholes there already. Right where Valley Avenue meets 52.

**Manager Revella:** They're doing potholes today.

**Trustee Pearson:** Brand new blacktop. Why would you have problems in it already?

**Manager Revella:** Will take that up with the Contractor.

**Mayor Ramos:** Had a nice attendance with Troop 33 Boy Scouts. Subject topic was the diversity exclusion. Very good attendance by 15 scouts. 6 of them were future Eagle Scouts. Attended the January 16th ceremony with the Girl Scouts. Very well attended. Nice to see the scouts getting back out there, doing great things. The Historical Society, the library, and the scouts were honored. I, too, attended the Milk Factory tour. Have great vision. Like to see this come to fruition. .

### **Executive Session – Personal History of a Particular Employee, attny client orange county transit**

Trustee Thompson made a motion to enter into executive session to discuss personal history of particular person, attorney client regarding Orange County Transit. Seconded by Trustee Sebring. All ayes. Motion carried.

### **Reconvene**

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

**Village of Walden Board of Trustees  
Regular Meeting  
January 17, 2023  
Motions & Resolutions**

**Approval of December 20, 2022 & January 9, 2023 Special Meeting Minutes**

Trustee Thompson made a motion to approve the December 20, 2022 minutes. Seconded by Trustee Maher. 5 ayes. 1 abstention (Trustee Sebring). Motion carried.

Trustee Sebring made a motion to approve the January 9, 2023 Special Meeting Minutes. Seconded by Deputy Mayor Carley. 4 ayes. 2 abstentions (Trustee Thompson and Trustee Pearson). Motion carried.

**Resolution 20-22-23 – Designating Place and Time of Annual Elections**

Deputy Mayor Carley made a motion to adopt Resolution 20-22-23 Designating Place and Time of Annual Elections. Seconded by Trustee Maher. All ayes. Motion carried.

**Village Policies**

Trustee Thompson made a motion to approve changes made in the village policies. Seconded by Trustee Sebring. All ayes. Motion carried.

**Manager Contract**

Trustee Maher made a motion to adopt Village Manager contract with modifications. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

**Town of Montgomery Ambulance IMA**

Trustee Sebring made a motion to adopt the Town of Montgomery IMA with said modifications. Seconded by Trustee Thompson. All ayes. Motion carried.

**PBF Request – Bike Show**

Trustee Maher made a motion to approve PBF Request for Bike Show on July 29, 2023. Seconded by Trustee Thompson. All ayes. Motion carried.

**Payment of Audited Bills**

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

**Executive Session – Personal History of a Particular Employee, attorney client - orange county transit**

Trustee Thompson made a motion to enter into executive session to discuss personal history of particular person, attorney client regarding Orange County Transit. Seconded by Trustee Sebring. All ayes. Motion carried.

**Reconvene**

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