

**Village of Walden
Board of Trustees Regular Meeting
March 28, 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
David Donovan, Village Attorney

Mayor Ramos presented Certificate of Recognition to Andrew Uszenski Jr. on his retirement.

Hill Street Bridge Potential Litigation

Eric Gordon: We're here tonight to discuss retaining Keane & Beane as special counsel with respect to the matter involving the bridge situation with the Town of Montgomery. You've gotten a retainer agreement that we've sent to your Village Manager, setting forth the terms of the representation. Keane & Beane has been around for over 40 years now. One of the larger firms in White Plains in Westchester County. We're very experienced in municipal law. We've been practicing in municipal law the entire time. I'm the Town of Bedford Town Attorney. I work with the Town of New Castle, Town of New Castle Zoning Board, Village of Pleasantville. Work with all their Zoning and Planning Boards. My partner, Nick Wardwillis will be working on this case as well, represents City of Beacon and I can go on and on. We've been special counsel on litigations to multiple municipalities throughout Westchester, Dutchess and Orange County. I personally worked on the Kiryas Joel annexation litigation on behalf of one of the municipalities up there. That's where I got to know Mr. Donovan's partner, Mike Donnelly. We worked on that closely. It was a very complicated litigation involving annexation and a lot of other matters. We've also worked specifically on bridge litigation involving the Village of Rye Brook. There was extensive litigation about, it was a number of years ago now, but we did go through a number of the similar issues that are, I think, will come up in the potential litigation with the Town of Montgomery involving, who's responsible for maintaining the bridge, who pays for it, the obligation and the obligation to maintain a bridge between a town and a village. I've done, as has Mr. Wardwillis hundreds of litigations involving municipal matters and handled different municipal matters. So, we think we're well-qualified to represent the Village of Walden with respect to this matter. Which I know has been dragging out for some time, and the village wants to move forward on it. If you have any questions regarding the retainer or anything else, I'm happy to try to answer that.

Attorney Donovan: Before the board chimes in, just rolling back, we've had these conversations over many months. It was my recommendation to the board that you engage outside counsel for the

purpose of the litigation. I thought specifically of Keane & Beane because, as Mr. Gordon indicates, they do have experience with our firm. We have worked together. We've actually worked on opposite sides. Just as a little more background. My partner, Mike Donnelly, first met Mr. Gordon and his late partner, Mr. Sachs, in a series of litigations. My partner Mike represented Newburgh Planning Board. Mr. Gordon represented someone who was litigious, and there were multiple matters of litigation during which my partner, who was in my view and remains the premier *inaudible* attorney in the Hudson Valley, very impressed with their firm, so much so that Mike was the attorney for the Town of Monroe and when the Kiryas Joel litigation was commenced, he needed assistance for that and he thought immediately of Eric and his firm subsequent to that and they did a lot of work in the appellate division back and forth all over with that litigation. Subsequently, I had several occasions to work with Nick Wardwillis, who I reached out to initially on this matter. We were on the opposite sides of the table in the matter of the Town of Newburgh, where I represent the Zoning Board of Appeals. We also worked together on a client of mine, substantial client, who was selling a piece of property that was in environmental cleanup. There were issues there, and Nick stepped in at the 11th hour and just did a bang up job for what we needed to make that sale happen. So I thought of Keane & Beane and I recommend them highly to the board. I think this is the direction the board wants to take. I spoke to Eric's partner Nick several times on the phone. We had a conference call with John, and I reviewed the retainer. Questions, obviously, if we're going to talk about legal strategy or things like that, this is not an open forum for that. General questions, I think Eric's talked a lot about his firm, but if you have any questions about that, that would be fine. The extent you're ready to act, there's two things that you need to do. One is to authorize litigation against the Town of Montgomery relative to the Hill Street Bridge. And the second would be to vote to retain Keane & Beane and authorize the Village Manager to sign the retainer agreement.

Eric Gordon: I should say, Mr. Mayor, that my firm is well equipped to litigate and vigorously represent the village, we also understand the cost of litigation. So if there is a method of and I know you've tried to work with the town before, but if there is a way to work with them and try to reach a reasonable solution, our firm is also very good at proceeding down those paths as well. So we think we have the hammer, the stick and the carrot kind of situation. It's not all just we're looking to plow through and litigate. We're looking for the best solution for the village.

Trustee Pearson: Your hourly rates, do they include travel time?

Eric Gordon: I had asked my partner that. I don't believe they do. Most of the litigation is done electronically now. But if we do have to come up here, I'm sure we can work out an arrangement. I would want to talk with my partner about it.

Attorney Donovan: We did not discuss that. Typically, there's a written report on status litigation that could be available by conference call or Zoom or something along those lines. Typically done in a private session, unless there was a settlement or something that the board needed to vote on.

Eric Gordon: I can get a definitive answer for you.

Trustee Pearson: The decision on your court case for the bridge, was it positive or negative?

Eric Gordon: I believe we did get a decision saying it was the town's responsibility to maintain.

Attorney Donovan: Correct. Nick worked on that case, not Eric. They won.

Eric Gordon: Nick was the primary attorney on that case. I know at least with what there were a number of bridges at issue.

Trustee Pearson: Basically everything we read from New York State is that they are responsible. I can't imagine it could drag out too long. Can the village put in a cutoff date for this if we don't do litigation?

Eric Gordon: You have the right to terminate our relationship any time. We could also say if our representation reaches a certain amount, we come talk to you about where we are and how you want to proceed. We often do that with clients on special counsel matters like this. You say, well, if you've reached 5000 or 10,000 or whatever it is, I mean, litigation money does get spent quickly, unfortunately. But we can put in, say if you reach a certain amount where you'd want to come reconsider how we're proceeding. We'd be fine doing that.

Trustee Maher: The retainer agreement looks very standard. Very reasonable.

Deputy Mayor Carley: In regards to the Rye Brook case with the bridge, because I'm new to this, the understanding the litigation side and the bridge history. Can you just provide us with a reference, maybe just our attorney, to do it so I can go back and read up on some things?

Eric Gordon: On the Village of Rye case, I can get you a citation. I don't have it offhand for me for the case we worked on, you mean?

Deputy Mayor Carley: I don't know, in general.

Attorney Donovan: Willie, I could get you, I wrote two or three letters to the Town of Montgomery outlining their legal obligations. I can provide you with those letters. There's statutory case law, which clear to me that is the town's responsibility. The fly in the ointment, if you will, is the time. And this could go on forever. I think that's the reason why the wants to pursue litigation. At least that's been expressed to me. Otherwise, they can say it's our responsibility if they never do anything, it doesn't get you anywhere. But I can get you my letters because that lays out the law.

Eric Gordon: I've read Mr. Donovan's letters and we're confident he's dead on. It's getting the town to take action and take responsibility for the bridge in a time period that's acceptable to the village. That's really the primary issues.

Mayor Ramos: What would be the first process steps to elevate this to supreme?

Eric Gordon: Our first action would be to talk to Mr. Donovan, get the background. Assuming we want to go ahead, draft a complaint. We can talk about do we file the complaint, how we proceed, that we would be putting together a legal proceeding against the town, setting forth all the background in the claims that the village has. Asking the town to take action. That would be what I expect would be our first process, and then we can discuss what we do with that document. Do we file it and just go forward or is there another path we want to take?

Mayor Ramos: After filing, what is the days? 30, 90?

Eric Gordon: After you file a complaint there's a certain amount of time for the Town in Montgomery to respond. I think for municipalities 30 days, I believe.

Attorney Donovan: Depends on the nature.

Eric Gordon: You answer but oftentimes they ask for more time and then we go back and forth and then we would proceed to basically discovery. Which in this case could last about probably 6 to 8

months. I would think we would try to expedite it as much as possible. But you'd have discovery for 6 to 8 months and then if there are no disputed issues of fact, we would try to file a motion for summary judgment shortly after the discovery is complete. That's a timetable with respect to litigation. Doesn't always move that smoothly, unfortunately. But we would hope to move it forward as quickly as possible.

Manager Revella: Just so the board and the public is aware, the firm has not asked for an upfront retainage, so they're just going to bill hourly and as the bills come, we'll pay, instead of asking for money up front to withdraw from.

Trustee Sebring made a motion for Village of Walden to commence litigation against the Town of Montgomery. Seconded by Trustee Thompson. All ayes. Motion carried.

Trustee Sebring made a motion to authorize the retaining of Keane & Beane and authorize the Village Manager to sign the retainer. Seconded by Trustee Thompson. All ayes. Motion carried.

Orange County Transit

Anthony Mirando: The permitting process for the sewer and water connections has been at the one yard line for several months. I think we all acknowledged a few months back that we're all ready to complete this work as soon as humanly possible. Contractor on board, literally materials are waiting to be delivered and at the last minute, before issuing the highway work permit, the DOT suddenly requested a use and occupancy permit. That was the first we'd heard of that after over two years of review at the DOT. They could not point to a regulation preventing the issuance of the highway work permit. We had asked for the reasoning for the use and occupancy permit in this situation, just that they felt the line was too long and they didn't like that it wasn't owned by the village. That's pretty much what we heard. Orange County Transit, I feel very comfortable saying this has done everything within its power at this point to move that process forward. They redesigned the line and worked with their engineers to pull it into their site for about 250 feet, reducing the line from, I think it was 650 or so feet down to 370 or so feet in the right of way, to address that comment. The best we physically can. Orange County Transit had their engineers look at the general site to the west to see if there was a way to cut through the front and take it out of the roadway. It's not feasible. There's storm water infrastructure. There are a number of things in place there, not to mention their property is in the town. Then we spent time speaking with the village about possibilities of potential ownership. But as we understand it now, that's not a preference for the village. So we've moved forward with refileing with the DOT, politely. I don't use the word demanding because I never say that to a state agency, but we're pushing really hard, via submission and provided that information that investigation work that we did and saying basically, tell us what to do or tell us why in some written form. Otherwise, please grant our permits so we can start our work for the benefit of both us and the village. At this point, I'm hopeful to get something back from them because it's a resubmittal. All of our engineers mentioned they may be able to get some insight back soon, and that's what we're hoping to get. I don't have anything else to say other than that at this point.

Trustee Sebring: This has nothing to do with the sewer line, but your lighting on the property. I have a place in Florida, and they have some lights there that are purple. The purple lights do show any movement on the property. They cut down on the brightness of the area. So, it would be my suggestion to look into that for those lights that are the problem with the homeowner over the fence from the Orange County Transit. Maybe you can come with a happy medium of having your lights there for security as well as taking care of that issue.

Trustee Thompson: I am very sorry, but I have to disagree with the statement that Orange County Transit has done everything in their power in a timely manner to move this project forward. That, in

my opinion, is not true. I just feel like there have been rules, or understandings that have not been followed from day one. When the property was purchased, Orange County Transit knew some of the challenges that were going to be facing them with the property, with the sewer issue. I just think a lot of things could have been done while you were waiting for some of the permits. And there were always delays. There were always reasons why other work couldn't be done. You've had your extensions. You knew going in that there was the possibility of fines if the work wasn't done in a timely manner. While I do have some sympathy for Orange County Transit, I don't have 100% sympathy. It's very disappointing to me that here we are, we're still here. And your extension is going to expire fairly soon, is that correct?

Anthony Mirando: Later, April. I don't remember the exact date.

Trustee Thompson: That's another topic for discussion. I just feel like if we're going to be honest here.

Anthony Mirando: Everybody has their opinion. I don't think that's necessarily true. I don't know what I could point to that would support that. But you have your opinion being part of the process as well.

Trustee Thompson: How about just from the very beginning moving people here that weren't supposed to be here because of the sewer issue and accommodating all those people? How about the outhouses? How about the trailers? How about the lighting, the berm, the fences? The gravel, the driveway, the parking lot? It's just been a multitude of issues. And I think this board has been very patient and has tried very hard to comply and to work with you, because we do know it's difficult with state agencies. But where does it stop?

Trustee Maher: Other than pushing heavily on the DOT and waiting for their response. Are you considering any other options other than the ones you've already crossed out?

Anthony Mirando: There aren't many. I think that's the issue. We evaluated the sites to the west as an option. That's not feasible. We're talking to the engineers, but we need to see what the DOT says because at the end of the day, we're going to be in their right of way. So if they're not going to give us information on what we can do in their right of way, you're kind of throwing darts at a board here if they don't give us some guidance because they're not applying like an objective standard that we can utilize to come back with a refined version. We're doing our best to answer their comments. They didn't say if you get the line to this length, it's fine. They just said the things that they had issues with.

Trustee Maher: If they declined a request, is there a plan B. Have you discussed what's next?

Anthony Mirando: I don't have an answer to that yet. I'm hoping that's not the path they go.

Trustee Pearson: I have talked about those lights every meeting, and I'm going to talk about them again. That homeowner should not be subjected to the lights that are happening there. I understand maybe that the Planning Board allowed that to happen, but if it's a good neighbor, maybe the neighbor could do something. Maybe he can move his poles to where the fence is so the light shines into his parking lot instead of in the middle of the parking lot out to the neighbor's house. I don't think it's fair to them. We've talked about it ad nauseum here for months and months and months. I kind of have to agree with Lynn, because I highlighted that same paragraph that says it's not practical or feasible. I want to know why it's not feasible. You can't purchase an easement through Dollar General to get where you need to go. You can't go across the street into somebody else's property and up the other side of the road. You can't do things like that.

Anthony Mirando: We'll provide you with, I think it might be in the record, but if it's not, I'll give you a copy of a letter that we provided to the DOT as well, which shows the project engineer's review. To put it in, you'd have to cut through storm water infrastructure that needs to be there. There's nowhere to relocate it. So there's a spacing issue, there's a construction feasibility issue with that. I'll provide that to you with what we provide next.

Trustee Pearson: There's not enough road frontage to put it in another spot?

Anthony Mirando: If you look at the map, you have to come east down the state highway and cut through the front of Dollar General's property, which, by the way, we don't control.

Trustee Pearson: No, but you can ask for an easement, you can buy a piece of property from them, possibly. There's other ways around that. No? You're the attorney.

Anthony Mirando: I can tell you we can buy land. I can't tell you that we can design it or engineered to work, but it would have to cut through their whole infrastructure in the front of their property. But I will certainly get you the letter from the engineer because I'm not one.

Trustee Pearson: This line in here that talks about submitting something, it wasn't something that the village would be responsible for, something other than your new plan is not a village plan. Correct?

Anthony Mirando: Correct.

Trustee Pearson: I'm still on the lights, though. I think there's something could be done. I think the work, we talked about this before, making the work finished before and then figuring out a way you're going to either have to hook up somewhere or you're going to have to sell the property one or the other.

Anthony Mirando: I don't know if those are the only two options.

Trustee Pearson: Or unannex. Go back into the town. Those are some options.

Anthony Mirando: I think what you're saying is and I've been here a long time now and the answer to this is, quite frankly, we have to work together or we don't. It's your choice, but we'd like to work together to find an answer. I think at the end of the day, you do have a property owner in your village that isn't running away from you. We're working with whomever we can. There's no lack of visibility. We would just like to work together to find an answer, because I don't have a clean answer today. We need the DOT in some form. If we don't have the DOT, if they come back with something ridiculous, then that changes our options. Their response is going to dictate what options we have, but we hope to work with you.

Deputy Mayor Carley: I think that Orange County Transit, you just got stuck with something that you're trying to work through, but unfortunately you got a roadblock. You weren't in there in the very beginning when the owner purchased the property. And one of the things that Trustee Pearson when she said it a while ago, but it always echo with me, buyer beware. So, when buyer beware, evidently no one foresaw X and now X is here and it has to be reared. Unfortunately, the deadline is coming up without any resolution. I guess what I'm saying is, I recognize the effort personally. I understand that there are some obstacles and some moving back and forth. Yes, we can still work on the lighting and things of that nature. I just want to say I personally recognize the effort that you're doing. This is definitely a case of buyer beware and that I'm learning a lesson, too, like, there

are some things down the road that you don't see that can come up and just really be a hindrance to your whole process. I just want to say I think you're doing the best you can to a certain degree. Certain things are just outside your control.

Mayor Ramos: I'm a little taken back by DOT not providing you with your words objective standards for this project. I mean you've had your contractor ready to go. Do you have a timeframe where the plan I believe this would be plan C on your second permit request. Is there a time limit that you're going to give them?

Anthony Mirando: We're going to follow up, I don't want to say this because held to it, and we're going to try to follow up weekly without them hanging up on us or not responding. But I'm hoping that we get an answer, at least an initial something. We'll set up a call, we'll have a meeting, and we'll do something within weeks. I hate to say that, but that's the plan. I'm hoping I can have that back before we talk about an extension so that I don't sit up here and say, I don't know what the DOT is going to do. To your point Trustee Pearson, that's not a fun conversation. We want to have a plan, but we need them to be an engaged party, to have a plan.

Manager Revella: Which department of DOT are you waiting for? Is it right of way, engineering? Do you know who has the submission right now?

Trustee Pearson: Do you know how much taxes they pay to us?

Manager Revella: I don't. We can look it up.

Anthony Mirando: We do pay water fees already, though.

Manager Revella: And if you can confirm how you're treating your sewage currently. Make sure that's taken care of as well.

Trustee Pearson: It's in a septic, isn't it?

Anthony Mirando: Correct.

Trustee Pearson: I thought their septic was bad. Did they put a new one in?

Anthony Mirando: I do not know the answer to that. No, I don't think so. There's been no work that I'm aware of.

Trustee Pearson: I heard otherwise, but I don't know for sure. It might have been just after he purchased the property. Before you probably got involved in this. But I don't know how true it is.

Anthony Mirando: Since John closed on the property, no. But I don't know anything about prior to that. This is the Office of the Right a Way.

Trustee Sebring: Hypothetically, if you were to get the line in that you are responsible for, is there insurance policy that you have to maintain on that in case there is a catastrophic accident? It blows out and you get sewage all over the road. Is the company responsible for the lifetime? Even if they sell it, it goes to the next owner. Within the state right of way.

Anthony Mirando: Good question. Does there insurance policy cover that? I don't know the answer to that. I know that when you file for a right of way work permits, you have to provide insurance information. But I don't know the level of coverage or how that works, but I'll certainly

follow up on it.

Trustee Sebring: You could put an insurance policy on that for 20 years and it would follow each and every owner if they were to sell that property. Maybe that would entice to the state to at least think that you're trying to cover in case there's an incident with that line.

Anthony Mirando: Don't quote me on this, but I'm pretty sure there are insurance requirements when you file.

Manager Revella: Bond and insurance.

Anthony Mirando: Bond insurance when you file for the right a way.

Manager Revella: I don't know duration but it's required for construction.

Anthony Mirando: That's where it was. It was down to the contractor providing insurance, the bonding. All that stuff.

Village Manager's Report

Manager Revella: I actually got something in the mail today. Just because it's required to be presented to the board, the owners of Sweeney's Irish Pub are filing for their liquor license renewal at the location under the new owners name JYB Holdings LLC. Just so the board is aware, if they have no objection over the next 30 days, the license should be approved. Since the last meeting had meetings with a special counsel to go over CSEA proposals for negotiations. Also had the meetings with the CSEA committee for negotiations and actually held our first negotiation session. Second one is tomorrow. Hopefully make some progress on that quickly before the June 1st date so we don't have to deal with retro again. It's a nightmare. I've had conferences with the Clerk and special counsel to talk about and went over some unemployment matters and worker's comp. Updates with the Treasurer several times to go over the draft budget and to get that ready for the board, which we've met the deadline required by the state. The conference with the Deputy Mayor to discuss audits and status for the Comptroller. They're back again tomorrow. Also met with the Comptroller's office a few times on the audit updates. The mayor and I met with the Board of Elections to discuss November election locations. One of the locations for elections in November was the American Legion Hall where the Ambulance Corps building is, due to some construction there they're going to have to change locations. So we offered them the third floor or the new community center at Olley Park. So they're looking into what locations we'll offer up for our residents. Did go to the last Managers Association meeting. There was a presentation on traffic calming for Barton Lagudice Engineering. Was pretty good. Most of the material, if anyone's been on the Placemaking Tours, it's a similar to that, talking about traffic calming and making things pedestrian friendly and multimodal. In any comp plan they should think about those items as well. The State really looks favorably on those for grants. Was able to help reintroduce trout again in the Tin Brook. We'll probably do that one more time in the fall to try and get the population established there and different spots throughout the Tin Brook. I had to attend the first CDBG webinar to qualify for funding for next year. There's one more that I have to go to make sure we qualify. There has to be an employee of the Village, not just our consultant. Rec and parks, they are doing maintenance as usual and try to get everything ready for spring, putting up the trash cans and cleaning up. Basketball's going well. Should be over this week. Teen center after school going well. Easter egg hunt was scheduled for the first. If it rains, it'll be the following Saturday, April 8th. They did set up indoor pickle ball at Wooster, so that program should be running soon. We did discuss an additional pickle ball court at Bradley Park. We'll talk about that in capital projects with the board. Programing has been set up at the community center. Tuesdays and Thursdays are pretty

good now. We're trying to get Wednesdays for activities like yoga, light aerobics, things like that. That's not too troubling for the facility. All the departments obviously also worked on the village budget to get that ready. Building Department. Code Enforcement officer issued 14 permits, 7 certificates of compliance, 4 violations for property maintenance, 7 fire safety inspections, 4 new complaints came in, issued 6 landlord registry violations, and 23 inspections conducted. The Building Inspector issued 4 building permits, 2 certificates of compliance, 3 co's and 5 violations for people to come to court and also assisted with the Planning and Zoning Board, as he has been for some time. Clerk's been updating Facebook and website as items get put in. Getting the calendar ready for next month now. Helped out with worker's comp and 207c. Had meetings with me on personnel, FOILs, the election, handicap, requests and minutes. Finance Department working on audit still for internal, 2021 draft has done. Still working on 2022 and hopefully has a final for 2021 with presentations to the board for both of those shortly. Also obviously cooperating with the Comptroller's office. Meetings with me on the budget and board members to discuss audit. Several issues with Edmunds. Bank Reqs, projections for projects to help with the budget as well, and reviewing vouchers and reports. Public Works, maintaining vehicles, Sewer has been replacing parts that need at the plant and stations, doing spring cleaning of the plant. Getting ready for that with quotes for the clean out, they actually have to suction the grit out of the different plants because it settles in the stations and doesn't go through the system. They have to get it out so it doesn't break the parts in the pumps. Water Department working on meters, 12 meters replaced, 12 end points replaced, 14 mark outs, 4 inspections, 3 closings. They did have a couple of cleanups from snow since last meeting. They helped out Town of Shawangunk on the street cleaning for the St Patrick's parade. They've been repairing and cleaning up basins, jetting, flushing, work on permits and cleaning out and cutting back routes and clearing debris from the winter. Police Department, obviously still issues with staffing there until we get the new full time list from the county. Overtime has been killer. Special details and tickets have not been as easy to get done because of staffing, but they have done some. 7 traffic tickets issued, 28 parking summonses, 5 mvas, 4 arrests, 1 vehicle traffic stop, and 428 blotters since last meeting. Library also wanted to let us know the renovations on the second floor will be starting soon.

Trustee Pearson: The Inter Municipal Agreement, do we have an agreement with Town of Shawangunk?

Manager Revella: We have several. I'm not sure how old it is, though.

Trustee Pearson: Because we loaned our sweeper.

Manager Revella: We didn't loan it. Our guy went to sweep there.

Trustee Pearson: We don't need an agreement for that?

Manager Revella: If they wanted to use our equipment, yes. But for us to use our own equipment, no. They bring over the sidearm mower and then mow for us on the well roads. So, it's kind of how we trade.

Trustee Pearson: We only need it if they're going to use our equipment.

Manager Revella: For other things too. But in this case, it's not really necessary since it's a direct swap.

Trustee Pearson: My question is, do we need an inter-municipal agreement?

Manager Revella: Need? No.

Trustee Pearson: Should we have?

Manager Revella: For this part? No. For other things, yes. We try to. I don't know what our agreement covers with Shawangunk. I don't know if it specifically says street sweeping.

Trustee Pearson: Because we used to have one with the Town of Montgomery to use equipment.

Manager Revella: We do still.

Trustee Pearson: Why wouldn't we have one with another town just to be safe if something happens because our equipment is being used.

Manager Revella: We don't borrow equipment from them. We do borrow and we had borrowed from the town of Montgomery.

Trustee Pearson: So if we're borrowing versus using going there and using our own.

Manager Revella: Correct.

Trustee Pearson: We send our guy there for how many hours to do those streets is what you're telling me?

Manager Revella: Yes. One day.

Trustee Pearson: Parking tickets, 28 of them. Certain areas, Main Street?

Manager Revella: Mostly from snow.

Trustee Maher: How is it going with the search for the part time officers?

Manager Revella: Part time officers? Horrible. We're not getting much response, and neither are other departments. We're hoping to get the full time staff back when the list comes out from the county. That's probably not till the end of next month. They have to do the physicals. So, we're hoping last week, in April, first week in May.

Trustee Maher: But they're actively seeking, doing interviews, outreach.

Manager Revella: For part time, yes. We're out doing outreach for part time. If you know somebody let us know.

Trustee Thompson: The reintroduction of trout to the Tin Brook. Could I have more information on that? Because it might be something that could fit into our climate smart program.

Manager Revella: There were just a handful of us that wanted to try and do it. The DEC kind of encouraged us to do it. It didn't cost that much, so we just paid for it. They kind of looked at a couple spots. The guy that actually has the trout farm. We went with him along the whole brook from outside the village all the way through to the end of the village on 208 near Northgate Drive. He kind of looked at some spots that would be conducive for their environment, their habitat. We then dropped them in those places last year and again this year, and we'll do it again in the fall.

Trustee Thompson: That would be something that we could try and pursue and put it into that

initiative. But I would have to get more information from you. This was the second time. What happened after the first time?

Manager Revella: There was a huge storm and the brook rose significantly, which likely took a lot of them to the Wallkill. There was still some for a couple of months, but there's also chain pickerel in there and they would eat up the smaller ones pretty quickly.

Trustee Thompson: I think it's a very interesting project. I'd like to stay on top of that.

Manager Revella: DEC actually does a project like that on the Shawangunk kill and a couple of spots for fishing and also up near Roscoe.

Trustee Thompson: I've heard talk of it like through the different estuary groups and whatnot. I think that's very interesting if we can participate in that and make that work here in Walden that would be awesome. Parks Department. Just so you know, I was down at Olley Park. There is writing on the back of the building. It looks like perhaps contractor measurements and they wrote it on the building. Maybe someone can go back there and try and remove that. It's rather unsightly. I had spoken to you John about doing some planting at the top of the hill. Where the sign is for Olley Park. It needs a little work to be straightened. I'm happy to show you some of the sketches for that and talking about that down at the Grove. That Meadow Project was to be a long term project. Things didn't go quite according to plan the first year, I'd like to see us try and expand that because we've had back and forth dialog about the appropriate location for that project.

Manager Revella: We tried to get a tiller today. We have one from Home Depot that we could rent to make a bigger plot. The plot was a little too small. Try to get bigger.

Trustee Thompson: But I think we should expand. I'm happy to continue with that as part of climate smart and beautification. Building Department. There is a test for a Building Inspector forthcoming. Correct?

Manager Revella: Code Enforcement.

Trustee Thompson: Once that test is taken and you have a list, what is the ultimate goal in your mind of staffing that department? Where do we hope to be?

Manager Revella: I have a current list for a full time position, now. The goal is to have a full time Building Inspector, a full time Code Enforcement Officer and a part time staff member could be Code/Building Inspector as well for that department with the secretary, obviously as well. That's the goal. They still might be understaffed with that, but that's the goal.

Trustee Thompson: Hopefully with the test, we'll be moving that in the right direction. Police Department, 6 traffic tickets. That's it? With all these complaints we continue to have about speeding and whatnot.

Manager Revella: That's correct.

Trustee Thompson: Can we do better on that? I understand there's a staffing issue.

Manager Revella: That was my query as well. The issue is that there are only so many officers there and they're handling all of the cases for all shifts because they're covering overtime. So their time is very limited out on the road as much as they would like because they have to follow up with the cases, follow up with the D.A. and with the Reform Act, there's a lot of paperwork they have to

do in the station, unfortunately, and that's been the limiting them on how much they can do on traffic.

Trustee Thompson: But it sounds like you're encouraging a little bit more there, too. I just thought that number was rather low.

Manager Revella: Even though the climate and the department at the station down there is not very conducive to sitting in there. But they're still sitting in there.

Trustee Thompson: Back to the Building Department, looking at the building, I know a few years ago I requested that perhaps it gets power washed and it did. The porch needs to be painted desperately.

Manager Revella: Stain and painted.

Trustee Thompson: And the lattice is all broken in the front of that. Which brings me back down to Olley Park. The gazebo down there needs some serious attention. I saw children playing on it, trying to pull the railings off of it. Whomever, whether it's the Parks Department or the Building Department. I think somebody should take a peek at that. I'm glad our podium is back. Where did it appear from?

Manager Revella: Amazon.

Trustee Thompson: Speaking of the podium, our dais is in need of some loving. We have Formica falling off of it. It needs a little help. We were to try and schedule a joint meeting for the month of April with all three boards.

Clerk Kraus: Working on it.

Trustee Thompson: We should try for April with that. Our telephone. I made a call here today, and the answering message is still not correct. It's answering that people work here that no longer work here in the finance department. Two employees. That needs a little attention. In the Police Department. There's a kitchenette. It's connected to nothing. Is it supposed to be connected to nothing?

Manager Revella: It was paid for and installed by the PBA members. I'm not sure what the method was, but whoever installed it said it was done properly. It was reviewed by the Building Inspector.

Trustee Thompson: Perhaps you should go take a peek at that.

Trustee Sebring: Renovations to the second floor of the library. Did they get a contractor that accepted the bid?

Manager Revella: P & P, the one that did the other work. The one that kind of did some paint up here a couple of years ago. The same guys.

Trustee Sebring: When they supposed to start that?

Manager Revella: Any time now. They're already getting stuff prepped. They have stuff cleaned out, so they're getting materials together and should be starting any day.

Trustee Sebring: How many bidders did they get on that?

Manager Revella: I don't know. Would have to ask Ginny. I know that the one that got the lowest bid is the one that they had worked with in the past, and they were really happy with that. I'm actually going to get them to come up here and do some work on this wall.

Deputy Mayor Carley: One about the comp plan because of trout, was that already on there, or is this something that we're going to do new? I saw reintroduced.

Manager Revella: I have no idea how long it's not been there, but since I was a kid, probably. There was some small brook trout back then, but nothing serious.

Deputy Mayor Carley: I thought maybe it was like a couple of years ago putting trout.

Manager Revella: The DEC kind of talked about reintroduction of trout in various streams in the whole area, and we're like, listen, we would love it if it's okay. So, we got a hold of the company, that has the fish farm and they brought a truckload down last year of a couple of different species that they thought would take; brook, rainbow and brown. Some did better than others, lasted longer. But there was an immense rain right after they were put in. So, they didn't get a lot of time to set up habitat. This time it's a little steadier. Hopefully we don't have huge rains in the next two weeks. They should be able to establish themselves a little bit and last a little longer, and then we'll bring them again in the fall. Hopefully it'll help encourage them to stay.

Deputy Mayor Carley: It was brought about the tri board meeting. I was going to ask about it too, because of the time frame. Hill Street, do they starting immediately?

Manager Revella: Yes. I signed it and handed it to them here, so there are no questions. That was a retainer agreement.

Mayor Ramos: I want to thank you, John and the Chief of Police for allowing us the use of our traffic sign over on the boulevard. Looks really good.

Manager Revella: It should be moving, I think, tomorrow or Thursday to another location. South Montgomery.

Mayor Ramos: We would have different locations on a weekly basis. That's fabulous on the traffic enforcement.

Trustee Thompson: John, can you please tell us what's going on with the grant for the EV charging station?

Manager Revella: I was going to bring that up before public comment so the public could talk about it. So we did have quotes for the charging station. We submitted them with the grant. The grant took almost two years to get approved. So, by that time the two bids were no good. We got new pricing and it went up about nine almost \$10,000. If the board's still inclined to utilize the grant of \$22,426. We would need to make up the difference. The current quote is \$32,971. We need to make up the difference. \$10,545.

Trustee Pearson: If we did that, how long would it take to have it started and get done?

Manager Revella: They didn't give us a timeframe. As long as we sign up on the quote, the price is locked. They've got to get it done within that timeframe.

Trustee Pearson: Why didn't we lock in before?

Manager Revella: Because we didn't get approved. We weren't sure if we're going to get the grant.

Trustee Thompson: Where are you suggesting perhaps we get the funds to complete the project?

Manager Revella: If the board was inclined to go forward, then we could utilize funds for community development. Since it's a community project betterment green infrastructure. That will be a place that we have funds for that purpose.

Trustee Pearson: What type of funds do we have in there?

Manager Revella: Community betterment? Right now \$650,000 about.

Approval of March 7, 2023 Minutes

Trustee Thompson made a motion to approve the March 7, 2023 minutes. Seconded by Trustee Maher. 5 ayes. 1 abstention (Mayor Ramos). Motion carried.

Public Comment

Susan Taylor: The budget transfers. Is that going to include money going back into the fund balance that was borrowed to pay the bill for the community center?

Manager Revella: On this budget transfer? We did get it back, but it's not on the budget transfers in this board meeting. But we did get the check back. We got the check for the reimbursement.

Susan Taylor: It'll be in there prior to budget.

Manager Revella: Yes.

Susan Taylor: Since it was a presentation, I'm going to address Orange County Transit. I always enjoy listening to their attorney. Entertainment value. Bang for your buck. 7/16/19 minutes. Jean Winum came before our board discussing the annexation of that property. I was talking about the lights being invasive on her property then. That was seven 7/16/19. They were put in the previous October. She talked to the Town of Montgomery, who still had the property. Their Building Inspector said it's a violation. Probably so it could be brought to court through the town, but if it's annexed in the village, she wanted to know who was in charge of that and I believe they said our Building Inspector. I asked a question of Attorney Donovan if we had anything on the books about lighting nuisance. At the time he didn't know. August 20, 2019, we had the joint meeting with the Town of Montgomery. Councilman Hoyt was very concerned about the lighting issue, how invasive it was. Wanted to know if it was rectified, as did Councilman Dempsey. Marissa Weiss, who was representing, Amthors at the time, said she thought it had been rectified. Becky Pearson spoke. She said it had been 9 months already and that the homeowner was frustrated. I realize that she lives in the Town of Montgomery, but being a good neighbor, I think the business at that time should have rectified it. Obviously, it's still not rectified. Also, the question was going to be about water and sewer. Manager Revella said they're going to have to use our water and sewer by law. January 7, 2020. Attorney Donovan talked about the time frame was a 12 month period to get the water and sewer. They could request an additional 12 month extension if they hadn't tied in by then there was a per diem penalty of \$5,000 per day. Attorney Donovan was asked about the 12 month period. His answer was one of the things that were important was that they tie in and pay water and sewer charges, Trustee Ramos said then it would be our decision whether or not to grant them the extension or fine them. They have to show some form of due diligence. January 21, 20. We were talking about them bringing additional personnel and equipment to that property. I said, my

understanding is that they're anticipating bringing the rest of the fleet from where they have it now in Maybrook to the site. Do they have water and sewer capacity to house that many employees on that site? Manager Revella, "Not currently". Mayor Rumbold "So anywhere in this agreement, this annexation, do we prohibit them from bringing any more employees, any more vehicles to that site until they're hooked up to our water and sewer?" Manager Revella, "If they change the use from what they currently are, they have to go for the site plan." I asked about the current capacity and would they be able to handle an increase in usage. Attorney Donovan "I don't know if the level to which they would increase the use on that, but if there is an increase in use and we did discuss it at the last meeting, they would have to amend the site plan. If they lacked the capacity, water and sewer with their on-site service to support increased use, then they wouldn't be allowed to have it." Attorney Donovan responded to my question "How do you know if they've increased their capacity there? We would be monitoring the water and sewer usage, going to be monitoring the intensity of the land use that's going on there, so that it would either be anecdotal or a complaint to the building department. It would come here. If you notice that there are 50 or more busses there, then it's obviously increasing the intensive use that requires the amended site plan." And gee, not too far after a discussion, here comes the whole fleet from Maybrook. Mayor Rumbold "I'm concerned about what's going to happen on that property if they're planning on moving their fleet there. Isn't it our business to know what their water and sewer capacity is on their property? Do we have that information? Do we know when we take possession of that property? Is that something that they have to provide to us?" Manager Revella "They know right now what their capacity is. They have a septic system that has a certain capacity. They have wells that provide a certain number of gallons per minute." I want to remind the board that this company stopped the paperwork process when we had COVID. I don't know why when they were questioned, they thought everything was closed. Our offices remained open, our Building Department was working, and our Planning and Zoning Boards were working. They just decided to stop the process. So, if you look at the dates from when this started in July of 2019, there were meetings prior to this, but I thought these were the pertinent minutes to reference. Here it is 2023. I have no sympathy for this company. Nobody should have any sympathy for this company. They haven't been doing their due diligence meeting after meeting. It's excuse after excuse after excuse why they haven't fulfilled their responsibility to this village to hook the sewer line up. Now they're going to blame the DOT. It's nice when you have an excuse and you have somebody to be the fall guy for their lack of due diligence in this project. It's a joke. They're continuing to be able to do business on that site. The porta potties are gone, so it's obvious that they're using the sewer system that was taxed with the number of people they had and the number of vehicles that were there. And I'll tell you what, I'll buy a beer for any female bus driver that used the porta potty when it was there. You know they were utilizing the facilities in the building. I think it would be ridiculous if this board or the new board grants any kind of extension to these people. I say you start to fine them. Because they haven't followed the agreement that they made. They stopped the process. Without the village's knowledge, they brought the concern that they had in Maybrook over into the village without informing the village, the manager, the Building Inspector. All of a sudden here these busses are all parked on the property. All the employees were here. Nobody was notified. It's almost like a case of well, it's here now. Do what you have to do to try to get it rectified. I really think the board has shown a lot of patience. I don't know why this business is being given all these chances, but I think it's time for the village to take a stand, just like they finally are with the Hill Street Bridge. Enough is enough. The Village of Walden has a right to protect its citizens. This is not the actions of a board that cares about their citizens. You're allowing these things to go on far too long. Thank you.

Mary Ellen Matise: I remember standing here when they came in first, they just wanted water. No, first they wanted sewer. The issue was how much could you really charge them that it would cover your costs of operating the sewer plant if you weren't giving them water also. So you give them water, you give them sewer, and at least that covers your expenses in the water and sewer department, because that money can only service that infrastructure. So, you put in a bind and then

the bind was resolved by saying, let's annex them, which was never their request initially. But then it all of a sudden became that request. As Sue documented, I've sat here for every meeting of it back and forth and everything was, we can't do this, we can't do that. This past year, 2022, and this is my question to you, we collected \$23,750 from them because now they're in the village. Is it worth it? Have they really developed the site the way it should have been developed? And don't forget, it's right on the Tin Brook. So there is always this potential of contamination which existed prior to them. So, it's not just their issue that's been an issue with that site for many, many years. But is that \$23,750 compensation for them not doing this project correctly and when are they going to be made to do the project correctly now that they are part of the village? Is this going to become these issues that they're describing with the DOT, the only agency in the world that can patch a road, and it's worse after they patch it than before. It's a disaster out there. So you're dealing with DOT and everybody knew this was going to take forever. They knew it. We knew it. I just wonder, is that going to be the whole scenario going down the line? Because now we annex the other acreage across the road from there. So, any time we go out into the town and we're annexing stuff in especially along the main highway, is that going to always become a problem? If this can't be resolved now, how is it going to be resolved in the future? Actually at this point, one other thing, and this was just a safety issue today, a full size school bus was backing out onto Route 52. That's totally against the law. Nobody was stopping traffic or directing traffic or letting passenger cars know that that was happening. They're not even safe. Then we went through that whole thing when they came in about the LP storage and everything else. There are still so many issues.

Arbor Day Celebration – April 27th

Trustee Maher made a motion to proclaim Arbor Day celebration on April 27, 2023, 9:30am at Walden Elementary School. Seconded by Trustee Thompson. 5 ayes. 1 abstention (Trustee Pearson). Motion carried.

Resolution 24-22-23 – Budget Transfers

Trustee Pearson made a motion to approve Resolution 24-22-23 Budget Transfers. Seconded by Trustee Thompson. All ayes. Motion carried.

Flag Day Ceremony Request

Trustee Thompson made a motion to approve Flag Day Ceremony Request for June 11, 2023, 1pm at Veterans Memorial Park. Seconded by Trustee Maher. 4 ayes. 2 abstentions (Trustee Pearson and Trustee Sebring). Motion carried.

Schedule Budget Sessions

Manager Revella: There are two trustee elects in the audience, so hopefully they can get at their schedules while we do this. We're proposing April 10th, 11th, 13th and 17th. We usually start at 6 pm. That's up to you guys. You want to start sooner or whatever, but there are alternate dates if anyone has conflicts. Let us know. We can always add a 5th day if we need to, the next day's the board meeting night, the 18th, so we don't have to schedule it. If we want to go after the meeting or before the meeting, we can do it after the meeting, not before. But we're going to try and adopted by that.

Deputy Mayor Carley: Is 6 too late?

Manager Revella: It's up to you guys.

Deputy Mayor Carley: I'm guessing from previous?

Manager Revella: It seemed okay.

Mayor Ramos: 6 pm.

Trustee Pearson made a motion to set the budget sessions for April 10th, 11th, 13th and 17th beginning at 6pm. Seconded by Trustee Maher. All ayes. Motion carried.

Manager Revella: The budget is available here and the library as well as posted online.

Becky and Trish. All ayes

Charging Station

Manager Revella: And if the board wanted to discuss the charging station grant, whether they want to move forward or not, I just need to know whether to let the DEC know.

Mayor Ramos: You're talking about an additional \$9,000.

Manager Revella: \$10,545, it looks like.

Trustee Maher: We were pulling the funds from which reserve?

Manager Revella: Community Development Fund.

Trustee Maher: Is there an expiration date on the grant?

Manager Revella: There is. We can request extensions, but we're close now within 6 months.

Trustee Maher: Even though the approval was late?

Manager Revella: Correct.

Trustee Maher: Because my thought process was if we apply for the grant again this year and get it, could we put the two grants together, but there's no time for that.

Manager Revella: Correct. The odds of getting it added on are very low.

Trustee Thompson: We've been waiting for a long time to move that project forward. It's still my understanding that the DPW would be doing a lot of the work.

Manager Revella: They would be doing some work, especially on the maintenance part.

Trustee Thompson: So, that would be savings for the village as well?

Manager Revella: It would save from a grant, but would still pay the DPW.

Trustee Thompson: If the money is there and it's money that we obviously should be spending. I mean, we're not supposed to hold on to funds forever.

Manager Revella: No, but it's a reciprocal fund.

Trustee Thompson: I think we should go ahead and move forward with it. It's, again, part of the New York State initiative. Everyone's pushing for these. There are people in the community that would like to see this happen. It is a way to promote some tourism to the community because people will know it's here. They can stop here. It's being located down in our business area. So,

hopefully while people are waiting for their car to get a little juice, they can walk around the village, visit some of our businesses, and sit in our library. I personally think we should go forward with it if our budget will allow. And after talking to the Treasurer earlier today, it sounds it's not a big hit on the budget.

Trustee Sebring: I'd like to see this go forward, too, because it's been a long time coming and there will be people using it. At least show the use of at least getting it. Let's go forward with it.

Trustee Pearson: I agree. I think that you wanted the grant for a reason. You got it. It was delayed. Not to our fault, but I think that we should move forward with it. I think will be beneficial to the community. I went to Holland and they have them in every community where you're driving and everybody has them. Let's start something and move forward, even if it's just one. I am agreeance. Thank you.

Deputy Mayor Carley: I guess I'm a little skeptic, because I can't remember the initial conversations around it, and I'm sure a feasibility study or something was done to justify us doing it and not just because.

Manager Revella: It's in the application.

Deputy Mayor Carley: I don't know. I'm just saying. I haven't seen it and so I haven't read it or we trust. That's where I'm in on that. If the village says they need it, I'm not sure how many vehicles we have here that needs it. And now that I hear it's going to be in the area up here somewhere. I'm not sure where you plan on having it.

Manager Revella: Orchard Street parking lot.

Deputy Mayor Carley: So, it's relatively close for people to walk around. My thing is I can ask you later, just so I can read up on it itself. I'm not here just to say yes or no to it right now. I'm not objecting to it because I believe we have to move forward and we should move forward in electric vehicles and things of that nature. I'm just not up to speed on it, that's all. And personally, if we have a grant, I think we should use grants when we can, and evidently we apply for it. But the other side is, I don't know the maintenance. That we kind of understand the maintenance requirement and then our DPW can do everything that's required for it or is have to be a contract.

Manager Revella: What do you mean? Maintaining the equipment?

Deputy Mayor Carley: The station itself.

Manager Revella: After the warranty period, I'm not sure if the electrician, we're not electricians, our DPW staff are not electricians. So, we probably would hire electricians after the warranty period.

Deputy Mayor Carley: I think you would need more of an electrician.

Manager Revella: It's an electrician that's doing the work. American Electric?

Deputy Mayor Carley: That's where I'm at. I don't know anything about it. I believe in them. I think that's something that everyone should grow into, personally, I just need some information, I can get it from you and I can read up on it, however the board moves, I would just like to be up to speed, so when I do vote, I can do it and somebody asks me I can say these are the pros and cons.

Trustee Pearson: I wasn't on the board at this time, but didn't this board have to make a motion to apply for this grant and know what the grant was for originally to begin with?

Trustee Thompson: Yes.

Trustee Pearson: So, why wouldn't you know what the grant was for if we've already got the grant? I'm not sure why it's such a question. You must have had discussion before on this grant and approved to move forward with the grant and now it becomes an issue.

Deputy Mayor Carley: Because I wasn't on the board. I said I don't have a problem with it. I just said I'm not up to speed on information.

Trustee Thompson: I believe you were on the board. What was the year we applied for the grant?

Manager Revella: Summer of 21.

Trustee Thompson: We've had several discussions on this and we had discussion about where we going to make this free for people. We going to meter it so people had to pay for it. I recall a lot of discussions about.

Deputy Mayor Carley: So, we can go back and look at all the minutes and Willie Carley could have been at every single board meeting. But Willie Carley does not remember the information surrounding the station. So all I'm asking for is just to come up to speed on the information so I can make an intelligent vote. Excuse me for having my Alzheimer a little early.

Mayor Ramos: We all do. We did discuss the amount, is this going to be chargeable?

Manager Revella: You are allowed to charge for it.

Mayor Ramos: It's metered. Just like what the Deputy Mayor said, warranty process.

Manager Revella: It comes with the installation from the parts. It's a Levittown Evergreen, dual head Ballard station. There's a warranty that comes with it. I haven't seen the warranty document yet because we haven't ordered anything yet to see the warranty document. We haven't told them we're going forward to get that information.

Mayor Ramos: NYSEG approves this?

Manager Revella: Yes.

Mayor Ramos: What's the total amount?

Manager Revella: We have now \$32,971.10. If we get authorization to utilize the community development funds for that amount for now, that would be good, to be reimbursed obviously, from the grant.

Mayor Ramos: And what's the reimbursable amount?

Manager Revella: \$22,426

Deputy Mayor Carley: I know we're going in a budget. We got some questions concerning our budget. I know the Treasurer said we don't have an issue.

Manager Revella: This is a community development fund. You can't just use this for line items.

Deputy Mayor Carley: No, about front loading dollar amount first. We really don't have an issue with that?

Manager Revella: In this fund? No, not for \$32,000.

Trustee Thompson made a motion to approve the total amount of \$32,971.10 from the Community Development Fund for the EV charging station at Orchard St Parking Lot. Seconded by Trustee Sebring. 5 ayes. 1 abstention (Deputy Mayor Carley). Motion carried.

Public Comment

Susan Taylor: Fire Safety Inspections and Landlord Registry. I'm not sure if everyone saw the article about the devastating fire in Rockland County. After the fact, the landlord received numerous citations at multiple buildings that they own. We still have landlords in this village with no landlord registry information and some that have not done the required fire and safety inspections. Are we waiting for the same thing to happen in the Village of Walden? Loss of life? Before we move with some determination to get these issues rectified. I don't know if you have any legal recourse if a landlord refuses those fire and safety violations. Are we doing that? We taking them to court?

Manager Revella: Yes.

Susan Taylor: How about the landlord registry? If they don't register.

Manager Revella: Building Department brings them to court.

Susan Taylor: I just find things like this to be egregious. And the fact that this is going on and on and on and there are people that still aren't complying, it just makes me crazy to think that the people are so irresponsible, especially people that are collecting money from other people to have a safe place to live.

Brenda Adams: First, I want to say thank you for approving Flag Day. Hopefully everybody will be able to attend. And Mr. Mayor, if you would, plan on making a small speech. I also want to thank Brian Sebring and Lynn Thompson for all of the work that you've put into this village. You've accomplished a lot. And thank you for caring so much about the village. I think most people here appreciate your dedication. The last thing I have is I was going to ask about the street sweeper because I don't see it any place. And the streets are filthy. And then I hear we lend it out to another municipality.

Manager Revella: We went there to sweep for the parade.

Trustee Thompson: Somebody else got to use it then us. I'm a little concerned about that because in a couple of months, maybe even less, you're going to have to do that report to the DEC that has the MS4 which we have an obligation in this village to take care of the water or the storm water going into the brook. Now you're telling me you put fish in there with all that garbage and I really don't get it. I never see the street sweeper and I know my street is filthy. And I was starting to wonder, is my street being punished because I've been asking for it to be swept?

Manager Revella: They're trying to get the rotation in now for street sweeper for all the streets.

Brenda Adams: And the parking sides, like where the biggest storm sewer that goes into the brook.

Which goes through my property. I gave you the right of way. The village has a right of way off of my property to dump all of that runoff into the brook. I got to tell you, if I don't sweep that street or I don't go out there and pick up the garbage, all of that flows right down into the brook and the poor little fish are floating around in there. I would hope my neighborhood's not being punished because I have complained. But I also feel that it's going to be hard to fill out that form that goes to the DEC properly if we haven't really been taking care of the storm sewer. Thank you.

Susan Taylor: I apologize, Brian and Lynn, I forgot that this was your last meeting. Thank you so much. I served with you guys a long period of time. I was on that board for 12 years, and I certainly appreciate Brian, since you were born and raised here, I'm sure you've seen lots of changes through your 35 some years. I was never good at math. I do have to say, Lynn, you were probably one of the best trustees I ever worked with.

Trustee Thompson: You were a good teacher.

Susan Taylor: Any assignment you were given, you went at it like a rabid dog.

Trustee Thompson: I was afraid of you.

Susan Taylor: Most people are and they should be. I just really have to say it was really a pleasure to have somebody who was so enthusiastic no matter what we threw out there. I need a volunteer. You were always the first hand that went up, and you really, really worked your heart out. And I still can't believe that a cripple like you would be hauling buckets of water at midnight in Wooster Grove to water those flowers so they were beautiful for all of us to enjoy. You went above and beyond. I'm going to tell you what. Enjoy your retirement. It's a hell of a lot more fun on this side of the dais than it is sitting up there.

Mary Ellen Matise: Over the past couple of weeks, I heard this word thrown around a lot. Infrastructure. And boy, infrastructure is a big time problem in this village and we all know it. But I just want to complain about one little piece of infrastructure in particular, and that is on Clinton Street where there is raw sewage running down the street. I've been told that the property owner has been given time to fix it. This is going on over a year now. The street is now collapsed. There are big puddles. Over the winter, there were big sheets of ice. Where it was running into the street. Fortunately for you, when you talk about MS4, for Brenda, somehow it's missing the storm drain, but it is running into the sewer cover. So, if we have I & I, it's getting into the storm drain system anyway, and that's an MS4 violation, but it's a health hazard. And Orange County Department of Health does not oversee village municipal water and sewer systems. What is the recourse here besides the Village Board, making sure that this infrastructure gets corrected? Raw sewage in the street is a health hazard. There are children living there. There are children who walk to school, pass there, and children who play up there. And there are adults, too. I don't want to get sick. You drive over it with your car and then what? It's in your tires. It's in your car. You're driving through sewage. What kind of a village is this? What is your regard for your local citizens? Why isn't this getting fixed when the property owner has been cited, given a timeframe, which is way too excessive for what the problem is? And then still, every day I go up there, I drive home, I go into my driveway and I'm driving through sewage and I'm tired of it.

Payment of Audited Bills

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

Miscellaneous Comments from the Board of Trustees

Trustee Pearson: CDBG. What we end up with? Did we decide? We haven't done that yet.

Manager Revella: No, you haven't.

Trustee Pearson: All new board members and old board members need to sign the ethics every year. Just so you all remember that, you need to see the Clerk and sign up your and read your ethics and sign your papers.

Manager Revella: It's usually good to do that when you're doing your oath and try to at the same time. Everyone has to do the oath again as well.

Trustee Pearson: Garbage contract, the bid is this Thursday?

Manager Revella: Yes.

Trustee Pearson: When I spoke before, after the summer program, I asked for reports for the revenue versus the expenditures. But we had talked about that happening for all the park programs. Where are we with that? Before the budget, we asked for that so we could see what programs are maybe paying for themselves, not where we need to be with each program. Is that going to be happening?

Manager Revella: Yes.

Trustee Pearson: Soon. Before April budget time frame that we're going to be talking about it? Before our budget session?

Manager Revella: Yes.

Trustee Pearson: RFP. So we're not going to go out for any RFP this year for organization.

Manager Revella: The board is able to RFP at any time, doesn't have to be certain time of the year.

Trustee Pearson: Usually they do it around the reorg meeting. Is that something we're not doing this year? Is that not something that's a plan?

Mayor Ramos: RFPs historically I don't think we've ever for reorg, we can.

Manager Revella: It's up to you guys whether you want to continue with RBT and Lanc & Tully and Dave's firm, those are the three main ones. Special council maybe.

Mayor Ramos: We have a week.

Manager Revella: It's up to you guys.

Mayor Ramos: Do you have anybody in mind?

Trustee Pearson: No, I don't. But I always think that. Why not see? When I was mayor, I felt it was really important to see what else was out there. Maybe there's something that we can do differently. Or maybe there's a different voice.

Manager Revella: The issue we had with RFP'ing, if you guys weren't inclined to make any changes or thinking about making the changes, the people that are doing the RFP know that and they're not willing to submit something just for you to look at if you're not willing to change. So, it's

really up to the board if they're seriously looking at that, you'll get our fees. If you're not, they're really probably not going to respond.

Trustee Pearson: Because it used to happen more often than it does now. I didn't know what the mayor felt about that. Short term rentals. I know Trish is always asking, we are down to the attorney has it now. We just got that back from him. We have a meeting on Thursday to go over that again, what he has put together and kind of finalize that. So we're getting to the end. I would like to try to see if Lynn would be able to stay on. I know because she's been an integral part of that. I know the ambulance corps, you let Cheryl stay on. It might only take one or two more meetings to do that, but she's been a part of that since the beginning. I don't know if the board would allow that. I would like to maybe make a motion that she can stay on for the short term rentals just to go through it. Not that she's going to be here to vote, but just to finalize some of the things that we've been talking about.

Trustee Maher: As a liaison.

Manager Revella: If she's willing.

Trustee Maher: Sounds good.

Trustee Pearson: If she wanted that. It's up to her.

Mayor Ramos: Why don't we wait until the new board comes on Tuesday next week, and then we can bring that up, make it a formal designation.

Trustee Pearson: Well, because we're at the end. We have a meeting Thursday, and we probably have one more meeting after that. It's not like we're going to start all over again with somebody new.

Manager Revella: I was hoping to get it on the second meeting on April's agenda. That's the goal.

Mayor Ramos: How far are you on?

Manager Revella: We have the draft. We're reviewing the final draft this Thursday, we hope. We'll see.

Trustee Pearson: A couple more meetings. This meeting coming up and maybe one more into April.

Deputy Mayor Carley: I think it would be great for the continuity.

Trustee Thompson: I don't mind finishing it up unless you guys are opposed.

Mayor Ramos: I'm good.

Trustee Pearson: I know Lynn, you talked about the meadow today down at Olley Park. You had talked about possibly moving it, I mean at Wooster Grove, you talked about possibly moving it to Olley Park. Is that something that's more feasible for a meadow and it's brighter in the sunshine?

Trustee Thompson: It's hard to say because the project had some issues in the beginning. It's hard to say how it would have how it would have done. But we initially went into it as a long term project. We knew it would take two or three years. I spoke to John about it and I think we're in

agreement. We want to stay at the same spot but just relocate a little bit and if it's successful there, Olley Park would be a really, really wonderful place to do another section.

Trustee Pearson: I thought you had mentioned you wanted to go up to Olley Park.

Trustee Thompson: That was that was the first choice. But after talking to John and Mike, we kind of thought we should try it at Woosters.

Trustee Pearson: Police Department heat, where are we with that?

Manager Revella: The contractors are working on it. They've been here doing some work on it.

Trustee Pearson: What are the contractors doing? How are they rectifying the situation?

Manager Revella: Replacing the units. They wrapped pipes with insulation. They're waiting for the units. They're putting in that fresh air vent in.

Trustee Pearson: I was here to sign bills the other day and the doors are open, the fans were on and they're not really conducive to a Police Department.

Manager Revella: The day they started, they said it should be three weeks to wrap up. So hopefully that happens.

Trustee Pearson: That's from how long the now?

Manager Revella: Couple weeks. But we have other projects at this building with HVAC that's going to happen as well. It's not just the one. There's other ones, multiple.

Trustee Pearson: And the floors up here. Where are we with the floors up here?

Manager Revella: Mr. Queenan was getting updated information from the contractor.

Trustee Pearson: Meaning what?

Manager Revella: So we awarded a bid to a contractor. The contractor ended up going and getting the pricing before we signed contracts, saying, no, it's going to be this price because the tile you picked is different price now. We said, no, we're not going with you then. Reprice it, but we'll rebid. He said he's going to reprice it instead of rebidding it. So we're waiting for the pricing to come back.

Trustee Pearson: And how long ago has that been?

Manager Revella: Over a month, two months.

Trustee Pearson: We're going to follow up with this gentleman?

Manager Revella: The engineer has been.

Trustee Pearson: It'll be another month?

Manager Revella: Could be in two months. Depends. To get the pricing, to get the equipment here and the product here.

Trustee Pearson: But don't you have to get the price before you get the product?

Manager Revella: Yes. If the price is right, then have to get the product. It could take up to two months. I'm not happy with it either.

Trustee Pearson: I'm not saying that. I'm just the way you're answering it. It's not really conducive to an answer.

Manager Revella: What do you want me to say? It's not happening fast enough. We're not getting answers fast enough. We can try and rebid it again. But we only got one bid last time. I doubt we'll get more bids this time.

Trustee Pearson: It's taking the guy two months to get another price for you, is what you're telling me.

Manager Revella: That's correct. Which is ridiculous and makes no sense.

Trustee Pearson: So then why are we going with this guy?

Manager Revella: We don't have any other options.

Trustee Pearson: We can't rebid?

Manager Revella: We tried. There are only so many people that are bidding right now. I don't know why. It's hard to get contractors. If you know some. Please tell him to come bid.

Trustee Pearson: Where are we with, you were going to get back to us with the outdoor cafe for Empanada Nirvana.

Manager Revella: I sent them a letter with the conditions that need to be met in order to be allowed to have an outdoor cafe.

Trustee Pearson: Has there been any response?

Manager Revella: I have not received a response directly. I know that Dean has spoken with the owner about fixing and remedying the conditions. Not sure if there's progress.

Trustee Pearson: Do we know if the tables are in the fire lane now?

Manager Revella: They are.

Trustee Pearson: Do we know if that's illegal or legal?

Manager Revella: It is not meeting our code. Whether it's legal or not. Doesn't matter. It doesn't meet our code. Dean's working with him on that. I know that they spoke once, and they're supposed to be meeting as well.

Trustee Pearson: I hope we do something about Clinton Street, because I know that's been going on for a long time. Maybe we can push something.

Manager Revella: I can discuss that with you in exec as potential litigation.

Trustee Pearson: I did send you all an email. I hope you got it. That the way the village is supposed to be run. Is that how the email, the one that was written in 2009. Hopefully you have all of that. I would like to say that the general public really doesn't know what it takes to sit on a board and to do with gusto. Many hours of research, hopefully make the right decisions for your community. Time away from family, going to many training sessions and board members spending time with the community. I want to thank Lynn and Brian for their time and energy serving all of us and the Walden community. Not only sitting in this seat, but also being a part of the community events and organizations that can complete make our village unique and a wonderful place to live. Your hard work and dedication can't be measured in time. We have been honored to have you serve us for complete selflessness and a love for the Walden people. I want to thank you. Good luck with what you do next and stay involved.

Trustee Maher: Street sweeper. Is there is there a schedule?

Manager Revella: No.

Trustee Maher: Can there be one?

Manager Revella: No. Because we don't know when the people will be here that staff it or if there is a project that comes up that could be in the way. Say we go out and we say, okay, they're going to be on Tuesday of next week, we're doing these streets and then the weather doesn't cooperate or the three guys that are trained on it have something else, the priority comes up or break, something else comes up. Then we don't do it, then we're in trouble. It's very difficult to do that.

Trustee Maher: What's the pattern of accountability?

Manager Revella: They map the streets so they know which streets are going down and they kind of pattern it after our snowplow routes. So they'll go through, there's basically broken out into seven routes. They'll do one route, snowplow route and make sure that's done first and then go to the next route and the next route, the next route, and then they'll go backwards from that. So usually by the time they do that, they'll hit all the spots because if they do say X Street at 7:30 am and they come back the next time it's 2 pm, hopefully the cars aren't in the same exact position when they do that. That's the goal is to try and get it that infrequently so that they can get all the spots at least once a month while they're doing it. But it takes a little over a week to do all the streets, if you do it just streets all day, every day.

Trustee Maher: I've seen them do my road like twice recently. I just was curious.

Manager Revella: Yes, as the weather permits, they try to get out there. It's just hard.

Trustee Maher: To Brian Sebring and Lynn Thompson, I just wanted to say I've learned an immense amount from both of you over my two year term sitting on this board and my learning journey here. I've learned so much from both of you. I wish you all nothing but the best. Thank you so much for all of your dedication and years of service to the village.

Trustee Thompson: The street sweeper. I completely get what you're saying about scheduling and whatnot. It's very frustrating, though, when the street sweeper finally comes down your street and all of the cars are parked on your street. So I wish that we could be creative, innovative, somehow figure out how we could let people know, even if it's a tentative date, that maybe they could move their cars. It almost seems, they're coming down and they can't properly clean the curbs because all the cars are sitting there. I know we've talked about this before. I have no clue what the solution

would be.

Manager Revella: It would be ideal. But there's some places that people don't even have a place to put their car.

Trustee Thompson: But a lot of people do and the sweeper can't get through there. My other comment about the floors, the situation with the floors on the third floor. This has been going on for over two years. It's not just a month waiting for a bid, waiting for materials. This has been going on forever. So if there's any way to put a fire under these people to expedite something, I certainly hope that that's happening because the flaws are getting worse. I hope we get it done. If I may have a moment to address the community. I would like to thank everybody who has given me the opportunity to serve the community for the past six years. It's definitely very different being on this side of the aisle for sure. I know that I've been part of initiating a lot of terrific projects in the village, and I'd like to see some of these things come to fruition that were started and weren't finished. I was fortunate enough to sit on three different boards, different board members. What the mayor said is true. What I said is true. Fear of her forced me to do a lot of different things. Strong leadership is key on the Village Board. You need to be encouraged to learn, to explore. You need to be enthusiastic. You need to dedicate yourself. You have to be prepared for every board meeting. You can't look at a packet an hour before a meeting and come up here and try and make really important decisions that affect almost 8000 people and several business owners in the community. It's a very serious job. I hope the new trustees learn that very quickly. It's a lot of work. I think one of the important things is to thoroughly understand your role in this form of government. That seems to have been a little muddled recently. Do your homework. You have to do your homework, read, and rely on other people. John Revella is a wealth of information. Our Village Attorney is wonderful. Reach out whenever you have to and come to meetings. It's very difficult when you're not engaged with what's going on. You need to be present. So I hope this board will entertain the idea that we've talked about, about the remote meetings, because sometimes it is very hard for people to get here. I think it's important to be here, but sometimes there are reasons why you can't be here. I hope everybody pursues that, but just dive in headfirst, learn as much as you can, because it's the only way you're going to be effective up here. Thank you to everyone who allowed me to serve.

Trustee Sebring: I'd like to thank the public that voted for me and Lynn. We have put our heart and soul into the village. Sometimes it is a thankless job. But we did it. We got through it. Your budget sessions, you're going to learn a lot of information real quick and you got to think of the people that are going to be paying the taxes. Very important. They may be asking for the world, but you've got to give them that little bit that keeps them going. I attended many, many functions. Just like Lynn did. Your presence out in the public means a lot. They may not say it, but they see you. So, it is important that you do get out there. You may not make all of them, but just keep your presence known. Do your homework and listen to yourself, too. You got to make a judgment in your own mind. Is a good for you? Is it good for the village? That's what it's all about. Making the right decisions for the people that you're representing. And that's all I got to say. And I'm saying thank you for the 8 years.

Deputy Mayor Carley: Trustees Thompson and Sebring. I appreciate your efforts in everything that you've done for the board and the Village. And I just want to say thank you for your wealth of knowledge of just procedures and moving forward. I wasn't really familiar with the Clinton Street issue, and I think that's something. But you said we're talking about that in exec. We should go over it. I guess the other part is when are going to find out what out about our tri board? I think the last time we had this issue about someone either not answering the email or whatever, we just did a plan. We just plan a date. If they showed up, they showed up. I think we should do that also. If they're not going to a certain time. I know that my schedule, it often fills up and I do carve out our

board meetings, but I just think it's going to be advantageous so we can get that on the calendar and move forward.

Mayor Ramos: Sitting up here it is a hard job and we persevered. Lynn and Brian, I've been thinking about this for the past couple of days. I have two strong words for you, both your dedication and your drive. I couldn't have asked for more dedicated and driven people on this board to serve the Village of Walden. Between Brian picking up boxes over at the food pantry and Lynn's dedication to other portions of meetings and climate smart. You did a phenomenal job and will continue to traverse through that part. And I want to solely thank you both for your friendship and your dedication to the village. Thank you.

Executive Session – Potential Litigation Clinton Street

Trustee Thompson made a motion to enter into executive session for potential litigation regarding Clinton Street sewage matter. Seconded by Trustee Sebring. All ayes. Motion carried.

Reconvene

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

**Village of Walden Board of Trustees
Regular Meeting
March 28, 2023
Motions & Resolutions**

Hill Street Bridge Potential Litigation

Trustee Sebring made a motion for Village of Walden to commence litigation against the Town of Montgomery. Seconded by Trustee Thompson. All ayes. Motion carried.

Trustee Sebring made a motion to authorize the retaining of Keane & Beane and authorize the Village Manager to sign the retainer. Seconded by Trustee Thompson. All ayes. Motion carried.

Approval of March 7, 2023 Minutes

Trustee Thompson made a motion to approve the March 7, 2023 minutes. Seconded by Trustee Maher. 5 ayes. 1 abstention (Mayor Ramos). Motion carried.

Arbor Day Celebration – April 27th

Trustee Maher made a motion to proclaim Arbor Day celebration on April 27, 2023, 9:30am at Walden Elementary School. Seconded by Trustee Thompson. 5 ayes. 1 abstention (Trustee Pearson). Motion carried.

Resolution 24-22-23 – Budget Transfers

Trustee Pearson made a motion to approve Resolution 24-22-23 Budget Transfers. Seconded by Trustee Thompson. All ayes. Motion carried.

Flag Day Ceremony Request

Trustee Thompson made a motion to approve Flag Day Ceremony Request for June 11, 2023, 1pm at Veterans Memorial Park. Seconded by Trustee Maher. 4 ayes. 2 abstentions (Trustee Pearson and Trustee Sebring). Motion carried.

Schedule Budget Sessions

Trustee Pearson made a motion to set the budget sessions for April 10th, 11th, 13th and 17th beginning at 6pm. Seconded by Trustee Maher. All ayes. Motion carried.

Charging Station

Trustee Thompson made a motion to approve the total amount of \$32,971.10 from the Community Development Fund for the EV charging station at Orchard St Parking Lot. Seconded by Trustee Sebring. 5 ayes. 1 abstention (Deputy Mayor Carley). Motion carried.

Payment of Audited Bills

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

Executive Session – Potential litigation Clinton Street

Trustee Thompson made a motion to enter into executive session for potential litigation regarding Clinton Street sewage matter. Seconded by Trustee Sebring. All ayes. Motion carried.

Reconvene

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