

**Village of Walden
Board of Trustees Regular Meeting
April 18, 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	Becky Pearson
		Chris Batson
		Patricia Maher
		Ralph Garrison Jr.
		Kristie Hall

Absent:

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

Public Hearing – 2023 -2024 Budget

Trustee Pearson made a motion to open public hearing 2023-2024 budget. Seconded by Trustee Garrison. All ayes. Motion carried.

Mary Ellen Matise: You know what I don't understand about the public hearing, though, is like its tonight. I know I came to the budget work sessions, so I was following what was in the budget. Does the state mandate that the hearing is tonight? Or you can put in any place you want in the budget process?

Attorney Donovan: There are time periods, which I don't recall the time ahead by which the tentative budget needs to be presented.

Manager Revella: It's March 20th.

Attorney Donovan: And then there's a timeframe within which the budget must be adopted.

Manager Revella: May 1st.

Attorney Donovan: Other than that, I don't know that there's a requirement of when the public hearing needs to be held.

Mary Ellen Matise: In other words, is the board planning to vote on the budget tonight? It's only April 18th.

Manager Revella: There's not another meeting before May 1st. If the board is satisfied with the condition of the budget, they probably would vote on it. But I can't speak for them. If you have any comments on the budget. You should say it now so they can talk about it.

Mary Ellen Matise: I think probably exhausted my comments.

Manager Revella: Historian line was increased, I noticed that. It went up one hundred percent.

Mary Ellen Matise: And the garbage is increased.

Manager Revella: Yes, based on the bids.

Mary Ellen Matise: I really have to retract the compliment I gave up at the last meeting. I had out six cans and I got back five. Yard waste. You could put out as many as you want for yard waste and there were my own cans and I'm taking back the compliment I gave them some. Unless something really substantive comes up in public hearing tonight, you'll go ahead and vote on it. But it doesn't really give the board a chance to act on anything if something really is substantive. This isn't new. It's gone on like this for years and you're not the only people doing it. But I just don't understand why it's at this late juncture.

Manager Revella: The dates that are given to us by the state.

Mary Ellen Matise: Not for the public hearing.

Manager Revella: The public hearing, you want it to happen before the budget's done? I don't understand.

Mary Ellen Matise: It would seem to me you could open it at like, say, the last meeting and leave it open.

Manager Revella: I would think you have to have the public hearing once the tentative budget is prepared to be adopted. I think that's what the rule, I'm not sure.

Attorney Donovan: Yeah, generally this is the public hearing. So, we hear from the public as oppose to the back and forth. But the answer is you have to have the public hearing on the tentative budget.

Mary Ellen Matise: I understand that. But when you have it could make more sense. Because at this stage of the game right now, it's pointless. I know we have to raise the garbage fees. Let's go back to when we changed it to the fact that the garbage fees are in with the budget and levied with the tax because they didn't used to be. Used to be, I don't know if was quarterly or twice a year and so the Village Board decided to change that because of the expense to the board of having to process those bills.

Manager Revella: You mean the expense to the people, that's paid for by tax dollars.

Mary Ellen Matise: But it didn't raise the garbage fee, it only raised the budget process to do it. In other words, the paying personnel to do it. So, they decided, let's put it for once a year on the taxes. Now, what if some people can't pay that once a year? There are a lot of people out there maybe that becomes an issue for them. And then what happens to their tax bill if they don't pay it? Something like that could have been discussed, but because when you go to the budget work sessions, the public really can't speak. Public can only speak now. Then as soon as we sit down and you do the other, you do Orange County transit, the managers report, the minutes, then you're going to vote on it. Where does that leave any discussion or any public being heard?

Susan Taylor: I noticed on some of the electric expense lines, some were raised and some weren't.

Manager Revella: Last year we started splitting electric and gas to separate lines, and we were estimating the split based on usage. We also got some more energy efficient places. And then we had a building come online at Olley Park. So, some of those it was a learning curve.

Susan Taylor: I know you said you got slammed. We got slammed last year with the electric bills. So, you're not anticipating that they're going to be any lower, are you?

Manager Revella: No, but we had a good meeting with NYSEG in the office with the attorney as well to talk about those issues that we found in billing. They actually took away some of the bills that were erroneous. That's why some of the numbers this current year looked a little inflated.

Susan Taylor: Okay. We've always used a line item budget. I know we discussed 900 years ago when I first got on the board that it was really a sense of transparency so taxpayers could see where our money was going. I always hated budget transfers. And it just seems like we're now depending more and more on budget transfers. I don't want to say that we're not being wise when we're budgeting those lines, but it just seems a little ridiculous to put money in those lines and now we're transferring it all over the place to meet bills where we need to meet bills. I understand that the budget is a fluid document. What did we miss out on last year? Because I know we did a lot of budget transfers. What suffered to have to move that money around to pay electric bills that weren't anticipated?

Manager Revella: Most of it was minor and we ended up having a lower bill in retirement, so we were able to use some of those funds. So, it didn't really take away from a lot of things that were going on, for example, it doesn't come out of projects. It doesn't come out of personnel except between personnel lines, same department. But actual work being done wasn't sacrificed for the budget transfers, thankfully.

Susan Taylor: Wall Street Journal says that 58% of people in this country are now living paycheck to paycheck. Also, the average raises this year, they are anticipating, will be between 4 and 5%. And only 11% of companies are anticipating that they'll give anything over 5% to their employees. I know we're in negotiations with CSEA. I don't know how many people here have ever watched the program Dirty Jobs, but I would say are CSEA workers qualified for that. They're the ones that plow the streets, snowstorms. The rest of us are in bed, nice and warm and toasty. I've been on several digs, sewer digs and water main breaks. They're wallowing down there in God knows what. I also know that we try to build money into the budget in anticipation of settling those contracts if we have to dispense moneys from them. I'm going to guess that we're not squirreling away 20%, 13%, 10%, or even 6%. We're not anticipating squirreling that away. We always talk about retention of employees and showing our employees how much we appreciate them. I always felt, even when I sat on that dais, that they were the backbone of this village, not the people that sit here. That they keep things running. I just feel that it should be mentioned that when we talk about those employees, you don't think about those kind of nice big numbers for those positions. They have families. They have homes. They have expenses. It just seems like sometimes when we negotiate that contract, they're bearing the brunt of, oh, now let's think about the taxpayers when we settle that contract. The garbage contract, I know we blame the tipping fees and we all knew that it was going to go up. That's reality. But I have to say, I really hope that we start to enforce. I remember sending you pictures of garbage cans in Highland Avenue when I felt like I was in a pinball machine trying to drive home. They were all over the streets. They empty cans, there's garbage flying around the streets. I've gone out on East Avenue and picked that up. So, I hope this nice, substantial increase, they're getting to their garbage fees, will do a little more enforcement and fine them if they leave cans in the street that are blowing all over the place. I know they had the little guy riding around in the truck. Is he still doing that?

Manager Revella: Yes.

Susan Taylor: Does he have blinders on?

Manager Revella: Some streets. Unfortunately. But some he's been following up and picking up.

Susan Taylor: The taxpayers shouldn't have to call the office and bother the girls in the office to say my garbage wasn't picked up, my recycling wasn't picked up. There's garbage all over the streets. I think if they're going to get a nice raise, they need to be a little more conscientious about the job that they're doing. I wasn't here for the police. Was there any discussion at all about utilizing Orange County 911 for any shifts for dispatch?

Manager Revella: That was not discussed this year. We've discussed it in years past.

Susan Taylor: Is there a reason why it wasn't discussed?

Manager Revella: We were told from 911 that they couldn't handle our call volume.

Susan Taylor: Really? And we're paying taxes for it.

Manager Revella: Correct.

Susan Taylor: Have you called Mr. Neuhaus to let him know that that stinks?

Manager Revella: Yes. I think that the 911 center should be capable of handling all calls in the whole county, whether we have dispatch or not. So, that's an issue for me.

Susan Taylor: It's sort of like paying the MTA tax. A lot of us don't realize that service and we pay tax for that. How does the county justify telling us that they can't handle our call volume?

Manager Revella: That's what I said, if they have to hire people, hire people, it's not my problem.

Susan Taylor: What can we do about it?

Manager Revella: If we weren't going to have dispatch, then they would have to do what they have to do to make it work. That's their obligations to make the calls.

Susan Taylor: I feel like with a statement like that, they're taking that off the table and not giving us even the opportunity to discuss something like that.

Manager Revella: They even said that in public here in front of this board when they came for presentation.

Susan Taylor: Did they wear a disguise when they said it? Were they proud of the statement that they said?

Manager Revella: It was the commissioner, Brendan Casey that came to the presentation. He also talked to us at the 911 center tour. They can only do so much.

Susan Taylor: They call it Orange County 911. Maybe they should change the name.

Brenda Adams: Just want to verify because you went into executive session the other night. The

garbage is going to go completely through on the tax bill. You're not going to subsidize it through the village?

Manager Revella: The amount of increase is going to be a pass through. Correct. We already subsidize. We're going to continue to subsidize. But besides that, there was no discussion about additional subsidy.

Brenda Adams: You were talking about prorating a certain amount 50/50 or something like that. The other thing, where did you end up with cameras?

Manager Revella: We don't have quotes yet for cameras to talk about that. But when we get the quotes, we can have the discussion up here about how to afford them and if there's grants available or to budget for them.

Brenda Adams: You were considering for the parks, did that get in?

Manager Revella: We need numbers for it to know what to budget.

Brenda Adams: A meeting or two ago, you talked about using the community grant money for the electric station over the municipal parking lot. Wouldn't the cameras qualify? In that same kind of.

Manager Revella: The application was for an EV charging station. We have to use it for charging station.

Brenda Adams: If I remember correctly, Lynn asked you about it, and if you didn't get the money or there wasn't enough in the original grant, you could take money from the community development fund.

Manager Revella: That's what the board authorized to cover the difference. It was a \$9,000 difference about. Because the bid came in higher a year later after we actually got awarded.

Brenda Adams: Wouldn't cameras qualify using the same justification that it's for the protection of the public or for the community to use?

Manager Revella: Yes.

Brenda Adams: Because I know there was a comment during the budget session that most people have ring cameras, but not necessarily, especially in the higher crime areas. I hate to say it, but that's where there isn't as many ring cameras and the police officers have to go from house to house to see who has them to try to solve problems. Whereas years ago when we had cameras, they could follow the people such as the robbery up at the gas station. They were able to follow them right down. Unfortunately, in our sector and just had to wait for them to come out of the house so they knew who they were looking for. They just didn't know which house they had dived into. I'm sure that happens in more places than just our neighborhood. But it would be nice if you could figure out a way to fund that. Thank you.

Lynn Thompson: I have to ask about the dispatch also, because I know from being on the board that has come up before. I went to the 911 call center. I was here for the presentation. I don't recall them saying that they couldn't handle our volume at all. I recall them saying they suggested because of our busy, busy foot traffic at the window on certain hours of the day, we should keep some of our dispatch. We should never, ever give it up completely. But it's been on the table many times before. Now, I certainly do not want to see any dispatcher lose their job, but I apparently heard differently

than you did because they did say they could handle some of our call volume, just not all of it. And they didn't recommend that we give up our dispatch totally. But there was discussion about certain hours, certain times, certain days. I also would like to talk about the cameras. We've been hearing for years and years that we need to have the cameras. We need to replace the cameras. It's expensive. The interfacing isn't good. They can't connect. They can't do this. They can't do that. Without public safety and security. We have nothing. And there have been ongoing issues, not just at the parks, other places in the village. Mr. Garrison, you brought up that there was some inappropriate behavior in Wooster's Grove in the middle of the day. I can tell you there has been bad behavior at several of our parks day and night. I was present at Wooster Grove, along with Trustee Sebring and my husband, when a group of children set a picnic table on fire right in front of us. I called the police several times about the activities going on in the grove, dumpsters being turned over what looked like it could have been potential drug deals. People way down in the back either just parking and looking at the stars or drinking or getting cozy with another human being. Nothing's been done. The same children that set the picnic tables on fire, graffitied every picnic table, the concrete floor of the bandstand. It's ongoing. So, I heard for years and years. Cameras, cameras, cameras. Somewhere in the budget. We need to find money for cameras. I did a walkthrough in this building with the Police Sergeant. He pointed out many deficiencies. Some were corrected, some were not. Disabling fire doors was a problem for safety and security. I believe that's still happening. There are just a lot of issues with the cameras. I also question that community development fund. You said that that could be used for improving infrastructure. I would like to think that cameras for the safety and security of our residents and our businesspeople is part of our infrastructure. I don't know where it would go in the budget. I was looking through it. I don't see anything specific, but I think that's something that should be addressed. It was also discussed at budget that many people in the village have the cameras on their homes and the cameras on their doorbells. I had two people that were murder suspects at the time who actually did get convicted of murdering on my street when the state police canvased. I could count on one hand the amount of people that had cameras. I don't think perhaps that there is as many people in the village that have the cameras as one might think. My other question is, is there money in the budget for working out some of our parking areas? The parking lot behind this building needs repairs and it needs to be relined. Parking is a premium around here. The other day there were probably cars parked improperly that 4 more vehicles could have fit in there. I hope that somewhere in the budget I don't remember exactly where it would be, but I think some of those are worthwhile expenses as well. Thank you.

Trustee Hall made a motion to close public hearing 2023-2024 Budget. Seconded by Trustee Maher. All ayes. Motion carried.

Presentation – Orange County Transit

Anthony Mirando: We filed a written update last week. We provided some of the information that was asked for, including the response to the DOT from the end of March, together with some additional information, as well as background on our efforts with DOT and prior correspondence involving DOT. We still remain at the one yard line and are ready to complete the sewer connection. For those who don't know that the property is connected to water at this point and paying water fees. Last fall, when we were ready to start work, the DOT held up the highway work permit, which is really an administrative permit to install the sewer line in the state right away. And they suddenly requested a use and occupancy permit without real basis for asking for that. The DOT position at the time was that the line was long and that they candidly wanted the village to own it and we responded with the information we could provide as quickly as we could, including shortening the line within the right of way as far as we control, evaluating the site to the north and showing that cannot go on that portion of the land that we don't control our own and also our efforts in working with the village for a number of months to find our way to terms on how to address the ownership issue with the DOT. We tried to work with the village for a couple of months and

sometime in March it was decided that we weren't able to work on this together at the moment, so we immediately filed with the DOT. Since then, we followed up twice on April 4th and April 13. We got a response on April 14th from the DOT saying that they have it and it's been forwarded on to their main office in Albany and they are currently reviewing it. We will continue to follow up continuously with them to get an answer back. At this point, we feel we've done everything we can to show our due diligence and efforts in connecting. We're asking for a one year extension and consideration by the board so that we continue to work together, give time to get a response from the DOT, which quite frankly, I hope happens quickly and that the DOT issues the permit and we will start to construct, which obviously takes time. We believe that's warranted. But certainly, as you may recall, in the fall, I was here and we had asked for a year. The board went back and forth. We decided on eight months. If we had gotten a year, we would still be working on it. I wouldn't be here asking for that consideration. But we understand that the board may want to grant something less, and we're open to that discussion. With the agreement that we with village staff would sit down and discuss a number of items and issues and come to terms to continue to work together. I think the objective with this has always been to connect the site to the sewer facility, and that's the village's goal. And our goal is to do that as well. There are just obstacles in a way that we don't control. I hope to have an answer from the DOT rather quickly in terms of some feedback so we'll be in a stronger position to know exactly what options we have or don't have going forward.

Trustee Pearson: *read letter into minutes* There are pictures here that I will send down to send them down to the Clerk, she can put them into the minutes as well.

Manager Revella: We have a copy of a letter.

Anthony Mirando: We don't have a copy of the letter. Lightning is not obviously connected.

Trustee Pearson: I get you, but I'm going to start from the beginning because a lot of the board members here don't know what happened. I also have from the minutes from July 2019, when Mrs. Winum "we live next door to the Amthor property. I just want to know would who would be in charge? Village code trespassing." She has been talking about this forever. It is part of it. Because if one thing can't get done, then why are we worried about how many other things aren't getting done? There are many things that aren't getting done. Let's see, the lighting is not fixed. The berm has to be finished. The plantings have to be done. Paving is supposed to be done, grading and paving of the part of the parking lot or whether the parking lot or the driveway, whichever was approved to be done. That's not done yet. Why can't all these things be done already? How it started was I sat on the board Chair of the Zoning Board and they didn't want to hear from the Building Inspector and have to do things that needed to get done. They wanted interpretation from the board. And the interpretation was we felt that the Building Inspector was doing what was supposed to be done because again, when Sue was here last meeting, she talked about paperwork not filed on time. Taxes weren't done on time before they could pay them. So the taxes were late. There were many issues with this project from the beginning.

Anthony Mirando: But there are a lot of misconstrued statements there with respect to responsibility and timing. 2019 was before annexation.

Trustee Pearson: It started before annexation. The lighting started before annexation. These are the minutes from the annexation meeting that the town had with the village. These meetings, those things are still being discussed now that haven't been taken care of, and that's the 2018-19 time frame.

Anthony Mirando: I just think we're conflating some topics.

Trustee Pearson: I don't think so, because I feel one thing leads to all the others. I get you can't get the DOT to do it. But have you done your due diligence to maybe buy a piece of property or an easement or getting another way to get it done?

Anthony Mirando: I think there's also some obligation on behalf of the village to work with us.

Trustee Pearson: We have worked with you.

Attorney Donovan: When did your client buy the property?

Trustee Pearson: What has the village done for you?

Anthony Mirando: If we work with the DOT to come up with a mutually agreed upon agreement that can satisfy the DOT's requests, then we're all receiving the benefit of connecting to the sewer.

Trustee Pearson: We had an agreement with you. You had two years to get this done. It hasn't happened in two years. Now it's two and a half years. Now you want another year.

Anthony Mirando: No. See, the issue here is, is that there's creating an impossibility. If you're telling us to connect and it's out of our control. Legally out of our control to connect. You're forcing us to do something that, quite frankly, is benefiting the village. Look at Orange County Transit's ownership of this property and you think about what benefits they may or may not have received. The village has receive taxes from the property coming into the into the village. The village has received water fees. The village has received regulatory control. Orange County Transit is continuing to work closely with the village, with all the agencies. And I've been here documenting this, which is painstakingly difficult.

Trustee Pearson: What has the village done for you?

Anthony Mirando: Work together on this issue with the DOT. We wasted three months waiting to get an answer on how to handle terms of an agreement that we were working on to mutually address the DOT question. Remember for the board members, we're literally waiting as of last fall for a highway work permit, which is an administrative permit to just physically do work in the DOT right of way.

Trustee Pearson: What was the agreement that you were working on with the village that none of those board members knew about?

Anthony Mirando: A memorandum of understanding to discuss potential terms of how to address the complicated issue. At the end of the day, does the village want to connect us to the sewer? I think so. The same objectives of when they brought it into the village.

Trustee Pearson: It's not that we want to. You need us.

Anthony Mirando: I think it's mutual.

Trustee Pearson: I think it's mutual. But you had an agreement to get it done. That's where I have the issue. The agreement was in the beginning you wanted two years. They gave you one year with an extension of another year. Then you got six more months and now you want another year. I get it. I understand it. But how many extensions do you want? Another five year's worth. Maybe you don't know how long it's going to take. And why isn't there another plan to figure out another way to get it?

Anthony Mirando: That's what we'd like to do. We have attempted to meet and discuss with officials. We tried to work with staff and they've been wonderful. There's a period of time there that we lost where we all felt we were working towards something to present. But at the end of the day, if we don't work together to just resolve this, it's hardship for both of us. I think, I've been here talking to you and multiple boards. I'm a man of my word. And I think that we're sitting here saying to you, we just want to sit down and talk about an array of issues. If this doesn't work with the DOT, quite frankly, we don't agree with the DOT. We've expressed that. You have a submission to the DOT. There's nothing else we can physically do in our power. So, for you to say something like it's buyer beware or it's this or that? Well, it's also village beware. Who took the property in.

Trustee Pearson: I agree. I was not for it.

Anthony Mirando: What I'm saying is, we are together on this and we're not running away. We're standing in front of you every month, which we're asking to have a meeting to talk about what could happen.

Trustee Pearson: We can have meeting after meeting after meeting. If you don't have a backup plan for what's going to get done.

Anthony Mirando: We have to have a backup plan. We can't unilaterally say things or then what's the point? Then the agreement is nullified.

Trustee Pearson: Why can't you have gone to Dollar General and get an easement on their property and go up through Dollar General?

Anthony Mirando: We can't design it through there. We presented engineering information in there. I gave you the letter.

Trustee Pearson: Why can't you go across the street and talk to the owner across the street, that their property was also annexed in right across the street from you. Go across 52 and up through the field that's there. It's on the same side as the sewer line.

Anthony Mirando: This is certainly a discussion we can certainly have around the table.

Trustee Pearson: Then why didn't you have this two years ago?

Anthony Mirando: Because we were connecting to the sewer system for the village and we were working and we had all our approvals.

Trustee Pearson: For the village or with the village?

Anthony Mirando: Well the village gets the sewer fees.

Trustee Pearson: We're not going to agree on this because I'm over it and it's time to move on.

Anthony Mirando: Also to the benefit to the new board members, I don't want to sit here and act like we haven't been doing our best.

Trustee Pearson: I'm not saying you haven't been trying.

Anthony Mirando: Things about lighting and letters coming up and all these things. To be fair, we

worked with all different types of designers, professionals, and we're designing a lighting plan. We want to do all that. But for those who don't understand, to get to that point of finishing that work. You're not gonna pave and grade a parking lot that you're going to rip up to put in sewer and water system. That's where we're stuck. There was also winter season and things like that that come up, but there are things we can talk about, about doing, fine. But we've done the things that are physically capable of doing in our current situation. The question is, is how do we go forward? And it's up to the board to do what they would like to do. What we're saying is we're asking for time, but more importantly, we're asking to sit down and discuss my hope. I'm praying that the DOT responds with guidance, which says, if you do this, we might be able to do it. If you don't do this or reject us or say the village has to own it, or say the village doesn't have to own it. But without their response, we're just throwing darts at a dartboard. And what we're saying is all these other collective issues we can talk about.

Trustee Pearson: Why does the village have to own it? It's on private property.

Anthony Mirando: The village has to own it because the DOT is telling us that. And we're pushing back on it. So, if one agency yells at another and says, we don't want to do it, where do we sit?

Trustee Pearson: I don't know where you sit.

Anthony Mirando: Right in the middle seat. So, if the village is telling us that you don't want to work with us. Well, that's unfortunate.

Trustee Pearson: Listen, we've been working with you for two and a half years. We've given you extensions, we've given you everything you needed. We've given you engineers and attorneys and everybody else to work forward through this. So, don't tell me we haven't been working with you.

Anthony Mirando: I just complimented the staff on that. That's not what I'm saying. I'm saying right now this aggressive approach of, no, we're not going to work with you anymore. We're not going to talk to you. Okay, that's your call. But I don't see a benefit for either side doing that.

Trustee Pearson: Okay. I'll carry on later. Thank you.

Trustee Maher: I think we're all obviously disappointed to be here in this stage and to be nowhere.

Anthony Mirando: I wouldn't say nowhere, though. We're right there. Years of work and we're right there.

Trustee Maher: I think that my biggest question is, when you get the approval from DOT, how long is it going to take Orange County Transit to complete the work?

Anthony Mirando: So to answer that question, I recall his weeks, not years or months. It's that 10 to 12 week period of getting it done versus depending on the season's weather, getting the materials which we had, making sure we can coordinate bus schedules and things like that. But it's not like a 10 month process or a 2 year process of construction.

John Mensch: DOT regulates construction on Route 52 or any New York State roads. During the winter months, no construction is allowed. So, depending on the time you grant the extension and when we start, it's less than a year. But if we start in October and then I have to stop because of winter months, then it won't be until the summertime. So, it all depends on when it's granted. The permit is issued by DOT. We can start right away. We have a contract. We have material. We're told we can't own the pipe. We're willing to own the pipe. That was the application. That was the

permit we submitted. I'm willing to own the pipe. Willing to maintain the pipe. Willing to put the pipe in. DOT says no.

Trustee Maher: So we have a timeframe for how long it will take to complete the work. What is the follow up piece look like now for you or Orange County Transit or both of you to follow up with DOT?

Anthony Mirando: We filed March 27th, followed up April 4th, followed up April 13th. Got a response April 14th. We're following up again by the end of this week.

Trustee Maher: So, the progression going forward is to follow up every week until you get an answer.

John Mensch: The first time we submitted an application. Took a year to get a response from DOT. That's why you're sitting here. Two and a half years later. A year went by from the first application of DOT permit process.

Trustee Maher: I'm just asking these questions because we don't. We're not privy to that information and that communication between you and the DOT. So thank you for sending us the additional amendments because I didn't have them before tonight of that communication. That's very helpful. Just to see, like you said in the beginning, we're putting a lot of trust in what you're saying. Without seeing it and physically having it in front of me, it's hard to see what those conversations look like when you're not there.

Anthony Mirando: I think I have a copy of the correspondence the with the DOT in the last two weeks. I'll leave that tonight or forwarded to the manager or the attorney. But yeah and there's no issue with that.

Trustee Maher: I think there are definitely two separate issues here. There's the issue at hand with the annexation agreement coming to an end. Do we extend or not? That's one issue. And then the other issue is the being a good neighbor, which is something that as a trustee on this board, we want to make sure that that goes both ways. So, I do feel for our local residents who are having issues with some things that have not been remedied correctly. I would just ask that those things be remedied ASAP. It's already been too long. And if we could be privy to that communication as to what steps are being done to be a good neighbor, I think that's important.

John Mensch: Based on those being a good neighbor, there are three sets of lights that Becky Pearson had mentioned before. We had asked NYSEG and also Central Hudson to shut off the street lights on 52 because there are lights on 52 that the Amthor families had put in, which is a meter that we pay for. We shut those lights off. There is a second light at the entrance, the big spotlight that she was talking about that we also shut off. There is a third light and the single light that I need to leave on because we made it a combination instead of the diesel busses and the lights going off in her window. We put the employee cars parked by the berm so she wouldn't have to see that or hear the diesel motors. Anything she's asked for, we accommodated. Plus on top of it, that property, the Winum property is not even in the village. And I asked her, give me a list of all the things we need to do to make you happy. And it keeps coming back at the same light. If you want me to shut that third light off, I have no problem. But then my employees will be in the dark. And then if somebody trips and falls, there will be a workers comp case. You tell me how to light up the driveway, because in the winter time, at 5:30 in the morning, it's still dark. Unless you want me to have a blackout bus yard, no problem.

Trustee Maher: I just wonder if there's anything maybe that can be looked at.

John Mensch: I have asked the board members to come visit at night.

Trustee Maher: I live across the street, so I see it.

John Mensch: I have asked the board members to come during the day. You're more than welcome. I open my doors to every single one of you to visit and walk the property because the video you show today is before we put the berm there. I have a video today to show that there is no debris there. We picked up garbage and in fact, she has a scrap yard for her gardens there that nobody wants to talk about or put on video. I am willing and able to be a good neighbor. And I have and I shut lights off and I've turned even Central Hudson. I even turned their meters off so the street lights would be off for her.

Trustee Pearson: Why couldn't you put the pole by the by the berm and face your lights into the parking lot?

John Mensch: The poles were there from the Amthor. I'm not going to get into the debate with you tonight about issues. Because the issue is if we don't extend tonight, it expires tonight.

Trustee Pearson: There is a way to fix what you don't want to fix it. That's all.

Anthony Mirando: It is an existing light. That's the other point. It wasn't like a new light. It's an existing light. And in addition, there are additional lights to be installed pursuant to approvals. It's an ongoing relationship. But every time we bring it up in here and conflate the issues with the sewer extension work, that makes it difficult because we're spending a lot of energy on this conversation. And there are 2 sides to every story. I try to not do this back and forth because it's not helpful. It's distracting.

Trustee Pearson: The property should be taken care of.

Anthony Mirando: We think, number one, the property is much better condition even without being, the pavement done and all that it ever was historically.

Trustee Maher: Final statement. I just wanted to say that I do think I would like to see this come to the end and have it be completed. This is a business that I do feel brings a lot of people to our village, a lot of people who work at Orange County Transit, even live in our village. They shop here, they eat in our local eateries, they get gas here, they shop at our grocery stores. This is not a relationship I want to see end and I do want to be my good neighbor and help see this to the end. But there is like a disappointing feeling to it and I just wish things could have progressed better. But being where we are right now, I do feel that if we get the okay from the DOT, I could see this being complete in six months. It's just to your point, when does that happen? And then my last question. What is the scope of work in the interim between, so you can't move over the sewer. Are you moving forward with any other scope of work?

Anthony Mirando: The berm is done, the fencing is done. The acoustic is done. The landscaping has to be finished along that, which John and I were talking about today, trying to find creative ways to bring water to the plantings to plant, because without the infrastructure that we'd like to put in, it's hard to get a constant flow of water for that much vegetation. So we were literally talking about this this week about how best to do that. I don't know if you want to add anything in terms of the work.

John Mensch: The acoustic fence is up. The fence itself is up, the berm is up, the fence is up. We

need to landscape it. We need to bring water to that side of the property. As you remember, through Google Maps and the permit process, the Amthors had a junkyard there next to the Winums. And what happened was we removed all that and we put the fence and we cleaned the property and cleaned all the garbage and all the junk cars and junk trucks and tanks and all that stuff out of that property. So now we have to figure out because part of our DOT permit is down on that side of the property, we have to cross 52 and put a water main on that side of the property. We can't do that without the DOT permit. Now I have to run a trench water from the front side or the top of the property down across the property to get water down to the berm, to put the landscaping. Because if I put trees and flowers and bushes, it's all going to die if I don't water.

Manager Revella: You're talking about a 90 degree crossing on that end of the property?

John Mensch: Yes, because the water's on that side of the road.

Manager Revella: They won't let you do that? I thought the DOT was okay with the water permits.

Anthony Mirando: They're okay with the lateral. But it was part of the application before that.

Attorney Donovan: My recollection of the call with the Zoom call we had November, December or whatever, is that they were okay, kind of incredibly, with you connecting the water. But for their own reasons were not okay with the sewer connection, longer run down to where you're across. My recollection I thought they were okay with the water.

Anthony Mirando: That was my recollection too. I don't think we're debating that. The question is construction sequencing right.

John Mensch: If we agree about 52 and then we put the water line in and then we had to rip it up again and put the sewer line in.

Anthony Mirando: What they didn't say is you could do that first and then talk to us for a year or whenever it's been done and address the sewer.

Trustee Hall: I'm one of the new faces, so I don't have as much knowledge on it as they do. I guess my only question or maybe two questions would be if you if you're not going to be able to obtain their permit, which obviously there's been trouble, do you have a backup plan for it? You have another idea that maybe you would go with?

Anthony Mirando: That goes to the discussion we'd like to have with your staff members and your Building Inspector and all of this, and come to a consensus on what the best option for us and the village is. That's part of it. Look, it's a preexisting legal septic system.

Trustee Hall: They don't want you to own it and we want you to own it. And there's a possibility they're not going to give it to you.

Anthony Mirando: We're hoping that's not the case. There are some legal questions about what we can do after that that I wouldn't necessarily get into in this forum.

Trustee Hall: I understand not doing the paving and the grading because why do it twice? I know you've touched on the lights and stuff, but I do have to say I've driven down that way at night and I wouldn't be all that pleased, is there a way that the light can move down a little bit so you can still hit your property? Move it down the pole a little?

Anthony Mirando: In terms of height? That I don't have an answer to.

Trustee Hall: Maybe just so it can still hit the cars and not the side of the house maybe.

John Mensch: We could try that alternative but we still have to install more lighting based on the site plan. So, those new light that have to be installed are lower. The light poles that exist are from the Anthor lighting poles. Even though they were left on. There was history between Anthors and the Winums.

Trustee Hall: I understand.

John Mensch: Again I can't pave and can't put new lights in because I'd have to tear it up to put in the sewer.

Trustee Hall: I get it's a catch 22. I wouldn't want to walk in the dark at night, but I wouldn't want that light shining in my window either.

Anthony Mirando: It's something to talk about. It's an existing light on an existing commercial property and a property that's been there that was much worse off and has had less receptive property owners previously. I'll leave it there.

Trustee Garrison: I don't want to beat a dead horse. I feel like we've been repetitive with the questions, but again, I'm new to the board, so I've tried to read up on everything that's been going on this project. I read through the email we got. I've read through what was presented to us this evening. I understand there are issues with DOT and there has to be some form of commitment there to make it happen. I understand that. I have to agree with Trustee Hall on what she said and kind of piggyback on that. Is there a secondary plan that you guys have mulled over? Obviously there are issues with the current septic system there or we wouldn't be having this issue with getting a new line put in. Correct?

Anthony Mirando: No. That would be an assumption. And I'll just add to that. I've said it already. Any second plan or backup or alternative that we haven't already looked, we've already established we've looked at multiple alternatives. Is going to be a "we alternative". And that's what we're trying to stress. That's all we're saying.

Trustee Garrison: That's fair. Also the lights, I drive by there a lot at night. I do understand the concern from the neighbor with the lighting, but I also understand exactly where we come from. It's a safety issue. Nobody wants their employees getting hurt ever, let alone that worker's comp claim and all that comes with that. But I do think we need to find a happy medium here in regards to the neighbor and the lights. I know you're putting more lights in and that's phenomenal. And you said they're a little lower. It's not going to cause as much of a lighting issue. But in the meantime, we got to come up with a plan to fix the situation at hand, whether it's figuring out how to move that light down and still get the lighting in your property or however we may do it.

Trustee Batson: Just to make sure I understand on the sewer issue, there seems to be two sources of contention here. The first was that in the initial plan, the sewer line was too long. And I see in here that there is some sort of addendum, which you've reduced it from 625 feet to 375 feet. So that seems to potentially satisfy the first challenges of the DOT. The second piece seems to be the ownership of the pipe. And in this document, I believe there's a little bit of back and forth. We would prefer you own it. They would prefer we own it. Do you think that the contention around who owns this pipe is a potential barrier to getting this approved at Albany? And let me just add a second part to that question. If that is the case, what happens if the decision to be able to move this

forward is that the village takes ownership for the pipe? And I guess that might be a question for us, someone here to answer as well.

Anthony Mirando: I certainly am not going to speak for the village on that point. In terms of what the DOT will allow and not allow, I can't speculate because we can't apply any. They haven't given us an objective standard on what we have to do to meet to get a private ownership of it. They identified a preference, if you will. I think it was a lot stronger than that. And there were village staff on the call with the DOT, so they could say if they agree with that assessment. I think it was a lot stronger than that. Our hope is that because we've reduced the length as long as we control and physically can that that will elevate it. Something that we were also thinking about working on with the village is a hybrid ownership model where there's responsibility on our part. As you heard from the owner, he's not trying to skirt the maintenance or doing the work, which by the way for those who care or don't care, the cost of this project has tripled since this all started, and he has not raised that or slowed him down in doing this. The point I'm getting at is I can't say because I don't know what the standard they're applying is, but I think that they'll be reasonable. I think they'll see the efforts that are being made. I think they'll see and in particular, if we can have a follow up with the village staff to work together on other ways to appease the DOT that I may not have the answers to at this moment because it's a collaborative debate or discussion, I should say. I think we can get there, but that's not a legal opinion. That's more of a hopeful opinion.

Trustee Batson: The other question I have is that in our packet of information here, the decision to issue an extension seems to be based on your proof of diligence in this matter. It seems that you've been far more diligent as we get closer to the deadline. And I don't know if that, I only have what I have, perhaps I have limited communication, but it seems like your multiple follow ups in a quick period of time could be coincidence as it nears the deadline. Working harder to get the deadline. Which is fine, but how do we ensure that that level of diligence is maintained as this goes to Albany?

Anthony Mirando: I can answer this one easily. There's probably a stack of this somewhere in John's office or somebody else's of the efforts made. And we had tables of all our contacts throughout that wide period of time when we're doing this. What you're seeing is follow up to a specific submission made on March 27th. In between, when we were talking with the village about options and how to address the ownership issue. We had nothing to follow up with the DOT because they were awaiting our refiling. That was the issue. It's not your fault at all. There's a huge record on this, no, those are just follow ups because once we filed recently, we had something to follow up on with. The few months before we were in a holding pattern.

Trustee Batson: And does anyone here, general question have experience of, since it has been pushed to Albany, hopefully it's not reasonable to accept the same year?

Anthony Mirando: No. It's not reasonable to accept. Certainly reasonable isn't part of that equation at all. We're being careful. And I was here in August and I think I actually said everybody was fired up because we had contractors ready to go. We actually got an e-mail from the DOT that said, we're reviewing, going to issue your highway work permit. So we all were feeling great and I was one who was like, things happen, stuff comes up. We don't really, can't really predict until I see the dirt being moved and the materials in the ground. I'm not comfortable. And that's why we had asked for the year at the time. So to your point, it's hard to say. I don't think it's going to be a long time at this point is my gut, because I think they're feeling the pressure a little bit because we're pushing so hard and because the village had been involved previously. I think we're far enough along with the application, that it's just a waiting game and tell us what you want to do that I think we're going to hear. And my hope is we hear soon. I don't want to say a number because then they'll be held to it and they'll say that you were wrong. But I have to imagine in the next couple of months, we're

going to have an answer on what they're doing. It would be I think it could be next week.

Trustee Batson: It could be next week, but it also could be the next couple of months. So, next couple of months, in addition. Have to understand, how to vote when it comes to, if we vote for an extension, what a realistic extension would be. It needs to encompass both the time for the approval, plus the time for the project. Do you believe that the communication practices that you have in place to continuously pressure the DOT in Albany on this is sufficient to continue to move this process forward?

Anthony Mirando: It's a great question. We would certainly not hate a letter of support or encouragement from the village to push it along. They know of your involvement. They know that we've been partners on this with the annexation agreement and other things. Certainly would welcome that. In fact, that's something that we would hope to get at some point if we need it. But in terms of our follow up, we go through typical protocols and following through your design engineer as they communicate with DOT. As you can see, we're putting lawyer letters in as well.

Trustee Batson: I would certainly be remiss if I didn't acknowledge the letter provided by the neighbor. And again, that's been thoroughly addressed. But you didn't mention that on your video the debris on the other side of the berm has been cleaned. That contradicts the letter and the picture. I think that needs to be resolved.

John Mensch: There is no debris, as in garbage, papers, cigarettes. Anything like that, has not been on that side of the berm at all. There are rocks, sticks from her side of the trees. My side of trees, anything that's on that berm has been picked up and taken away.

Trustee Batson: So, the only thing that would be left?

John Mensch: Is her side. And the berm if you look at the site plan, the berm actually sits on my property, not her property. So, the bottom part of the berm on her side, that's the property line. Anything that is on her side, is on her property, not on mine.

Deputy Mayor Carley: We've been down this road for quite a while. I see three issues here. And we discussed the family issue to nauseam and it is what it is. Hopefully it'll be resolved in some fashion. I just believe that the company you represent, Orange County Transit, has done quite a bit of work there in order to try to mitigate the lighting and everything else to go along with that. I just believe also that it's a business and there is going to be a certain degree of nuisance that's going to go along with that. To me that's more of another issue. But since we represent the village and we do represent the family too, in trying to minimize that, so we do our best. So the other side and I just need the Village Manager to make sure it's very clear what the Building Department says we're missing or what Orange County Transit needs to or hasn't completed thus far.

Manager Revella: We are aware of several things. Some of them were mentioned by Trustee Pearson. I know that, for example, you can't get the sewer main approved, but you could stub it to where the main would be connected. So why can't you finish all the pipes on property and get it ready to that point? Have everything on the property be prepared so that once that's ready, you're ready to connect water, sewer, landscaping, lighting, paving can all get done so that all you're left with is the edge of the property where you're pushing that main up, somewhere, it's going to be. You're starting at some point, which is on all the plans started at the same point, basically. So if you get to that point, everything else is done. We're just waiting for the main. That's what the Building Inspector kind of asked and that's kind of what Trustee Pearson mentioned. I'm not sure how far we can get to that point and what it takes to get to that point. But that's kind of what was mentioned by the Building Department.

Deputy Mayor Carley: Any violations?

Manager Revella: The only thing that was mentioned that was brought up, which correspondence have been sent back and forth was regarding a sewer waiver, since they're not connected to our sewer main now and there are sewer system within the Village of Walden. They're required to have what's called a sewer waiver before the board. That's the only thing that's pending from his department as well. They've been talking about that.

Deputy Mayor Carley: Sewer waiver, meaning they have to file through us?

Manager Revella: Yes, they have to file through us for sewer waiver since they're currently using a septic system within the village boundaries.

Anthony Mirando: The sewer waiver is kind of a quicker answer. Maybe not less complicated, but at least a quicker one. The code chapter that we learned of that Mr. Stickles is referencing, we don't feel is applicable because we have an annexation agreement at this moment controlling that. So you're trying to apply a code provision that wasn't intended to apply to a particular property. The annexation agreement was intended to control that.

Manager Revella: The annexation agreement was intended to be a year initially. It's gone on longer. So, until that happens, you should at least get septic inspected and approved through the department. So, we know it's functioning properly. We don't know because we haven't had any reports. That's the question.

Anthony Mirando: There's no evidence of any issues.

Manager Revella: Not at all. We don't know one way or the other. That's the problem. It could be perfect, I don't know.

Anthony Mirando: Again, it's a preexisting system.

Manager Revella: Not in the village. Within the town.

Anthony Mirando: Then when we meet, we'll talk about it. We have to figure out what that means because it's not a clean, do you meet this standard or that standard? It's more complicated than that.

Manager Revella: It's easier than you think. We can talk about.

Trustee Pearson: When you came into the town to the village, until you changed the usage, which was a short period of time you were under the town regulation. Once you changed and grew bigger, then all of that changed and you had to be under village law by that time. That village law is a sewer waiver. It's either connecting to the sewer plant, it's making sure you have inspection of your seven septic tanks that you have underneath of you. It's not just one septic tank. I believe it's seven.

Anthony Mirando: Then the other question about the connection right this second, again, me being a pessimist, if you do that connection work and you build all that. Number one, if the DOT doesn't approve it? Number two, what happens if it's not in the location that they allow us to do it? You've now built infrastructure that either is a complete waste and substantial cost and loss or two, you've now built something that has to be ripped up again. So it's not just put the lines in because while we're hopeful, as we can see, things happen.

Deputy Mayor Carley: That's the second one. And the third one is DOT by itself getting approved for it. This is what I see, number one, you worked with the family, you did your best. You still got some issues with the Building Department that I feel that should be remedied. Regardless of how we feel about it, it should be remedied because we want to make sure good neighbor and good business, work together just like you stated. Take care of those. And then number two. We can't control the DOT. I do believe that's between you and the DOT. During some type of deliberation, meeting whatever you want to call it, you can ask the village to take ownership or not. Village says yes. Village says no. Then it is what it is. If we don't want to take ownership, then we don't take ownership. You're still stuck with the problem. The way that I feel that everything should be resolved in a timely fashion. I believe you do need to put more pressure on DOT, and I believe a letter from the village, I would state it here, would help. But I also believe if we deny your extension or modify your extension, that would help too, because you will be forced into the fines. So with that being said, if you forced into the fines and now you are showing them and demonstrating because they did not make a decision based off of whatever rules they have is creating a hardship and they need to push the envelope on them, making the decision. If you can or cannot. Then give you some type of guidance so that you would be removed from that fine. I'm open for some type of modification to that. But I think the Village of Walden has been very fair. As in moving forward with the extensions and working with this whole process. I do believe the owner and you have done your part. We can argue how much and all that type of stuff, but I don't think no one was just maliciously, in my opinion, doing anything wrong. But we do have business we got to take care of. The business of the day is if you get the extension, it has to be some type of modification with it. I just believe the only way that the DOT is going to really open their eyes a little bit more, we need to fine you with the appropriate fine.

Anthony Mirando: The village fine us? I thought you were talking about the DOT.

Deputy Mayor Carley: No. The Village of Walden.

Anthony Mirando: Fine us for what?

Deputy Mayor Carley: Whatever agreement was made.

Anthony Mirando: Under the annexation agreement?

Deputy Mayor Carley: Nothing's changed, right?

Anthony Mirando: Just to be clear, there's no basis to fine Orange County Transit under the annexation agreement. If that's the path. Let me be clear, there's no basis simply because those fines are directly tied to efforts and diligence. They're not tied to anything else. So, any level of us not giving an effort or diligence, I think is completely unfounded.

Deputy Mayor Carley: With the Building Department, the sewer and connection part and then with the end, we just have to make sure that those things are taken care of. Like I said, something has to be done to help DOT help you. But we have to also honor our part of the agreement. I hear you. This is where we just sit on two sides of the table.

Anthony Mirando: I just don't think that kind of threat is in any way.

Deputy Mayor Carley: It's not a threat.

Anthony Mirando: You're threatening us that you're going to fine us so that we put more pressure on DOT.

Deputy Mayor Carley: No, I didn't say that I'm threatening that going to fine to put more pressure on. I said that that's your letter. That's what you can use if you needed to, to say, because you have not made a decision and you've left us in limbo, this is the repercussions behind your decision. That's what I'm saying. That's where I stand with it. And I appreciate everything that you've done. But I understand where we are today.

John Mensch: Just for the record, DOT hasn't delayed on just Orange County's application. If you look at the history of all applications through the state of New York, DOT has delayed every single one of them for more than a year. You issuing a letter saying you're going to fine me is going to have leverage for DOT to make a decision quicker? I don't think that's going to help.

Deputy Mayor Carley: Okay, that's fine. But the thing that I said, we don't have to go back and say who did this and who did that, because we can argue both sides. Who's being nonresponsive or not. That's only Willie Carley's point of view.

John Mensch: And I appreciate it and I respect that and I take it in. If the village owns the line and I maintain it and you agreed tomorrow, I start Monday morning and it solves the time factor. If the village doesn't want to do that, then what happens is we have to go into alternate situations. If the DOT says no to my permit for the second time and the village says, no, I don't want to own it, then we want to have a meeting with the officials and say, what's the next step? To shorten that time frame, as in this went on too long and we're bringing the forefront saying, what's the third option here?

Deputy Mayor Carley: I was going to leave it alone, but since you put it out, this is the problem I have with that too, because I see two astute gentlemen standing there, that same plan, that same thought, should have been brought up months ago, a year ago. Because I'm sure you didn't think of when there was a problem with everything prior to today. You have the opportunity to say, what if this didn't happen? What if that didn't happen? What if? To kind of figure out what's our plan? Was A, B, C, D, and exhaust that.

John Mensch: Hold on, we asked for the village to have a meeting and there was a meeting with the attorney and some of the members didn't show up. So, we brought that months ago to have a meeting.

Manager Revella: Just so you know, the village cannot take ownership of a sewer main extension. We're not allowed. DEC would not allow us to.

John Mensch: That's why we're asking for a meeting for alternatives. Because as John says, you can't own it. And if DOT comes back the second time with a no, what's the third option? We need to work with you to say if you do not or Orange County cannot install a sewer line, that loses fees to the village, then what's my option for a septic system on the site? We need to comply with that, but we need to know what we can do before DOT says no. Because then we need to prepare and say, okay, we're not constructing your line. We now need to construct a sewer system on the property.

Attorney Donovan: No one comes here to listen to me weigh in on this stuff. It's very important that the board get their opinions out. There's a lot of stuff going on tonight which makes it incredibly difficult, especially for the three new board members to digest what's happened in the last three years. So, if I could make two quick points. One, to your point, Willie, when and I'm not advocating for Orange County Transit, but after we participate, the mayor, the manager myself in a Zoom meeting and the DOT said at that time, November, December of last year, whatever it was, we don't like you owning this length of private line and we want the village to own it. Mr. Mirando

asked what rule regulation authorized you to do that and they said the home office wants us to do that. After that, there was a discussion that I had with Mr. Mirando's office and a memorandum of understanding was sent to me. I passed it to the Village Manager, which basically said that the village would own it. I was not satisfied with that. We had a meeting to discuss some alternatives that at that time the Village Board was like, let's directed me to cease any communications and put this back on Orange County Transit. I just want to make as soon as the DOT came down with, we don't want this to be in private ownership. We want to see public ownership. There was communication from Orange County Transit to me, to John, we did have a discussion in executive session. The determination was made by the Village Board that time not to have any more negotiations in that phase. But that also brings me back to the other question. I'm just going to make a suggestion that's up to the board, however you want to handle this. Also, probably make no one happy. I think trying to get the three of you to vote on a year's extension one way or another is a little unfair. This is your first full meeting. I'll just make a suggestion for like a three month pause, a three month extension. If you could authorize a meeting with the member or two of the board, the manager, and myself, we can try to hash out the sewer waiver, where the property issue. The interesting thing with the sewer waiver is there is a provision in the code that says if a property is hooked up to a septic system, they need a waiver and they need to do certain things. Did not envision the property being annexed into the village from the town with the intent to be hooked in to the municipal system. So that kind of needs to be factored in to where that's going to go. And at the end of the day, there also needs to be an end game, right? The folks sitting out there, they like Walden, but they want to come and go to Franco's Pizza or something else. They don't want to come here. You have other things to do. So there needs to be a resolution, whatever that resolution may be. Hopefully it's as we intended because the whole purpose of the annexation agreement, one of the driving issues before it, was water and sewer revenue. So now we're in a situation where it was just discovered last fall, and I'll vouch for what Mr. Mirando was saying. The DOT is a very lethargic state agency. That's the best way to put it in terms of respond to anyone. We are where we are now. We need to figure out what the endgame is. But I'm just suggesting a short pause, like a three month extension during which hopefully we can have a staff level meeting. Report back to the full board and maybe they get an answer, maybe they don't. But at least your decision, that's all I want to make sure is your decision. The board's decision, especially with three new members, is an informed decision. Best decision that the board can make. Best in the interest of all. That's my soapbox.

Trustee Batson: Can I ask one follow up question? Can you just help me to understand why there's no basis for the fines? And if there are no basis for the fines? Why any stress around a date at all?

Anthony Mirando: Because we're trying to work together. Because all it does is put people at odds.

Attorney Donovan: We'd have an argument over that. The agreement says if he's not diligently pursuing sewer, water, connection, there's fines. I can talk at another time about those fines and how they came about. Their position is going to be they're diligently pursuing them. We'd have to take the position that they're not diligently pursuing, that someone other than Orange County Transit and the Village Board could ultimately make that decision.

Trustee Batson: But there's no objective measure of diligence in this case. It is purely subjective, based on our opinion of their efforts versus their opinion of their efforts?

Attorney Donovan: There's always a metric what a reasonable person deemed to be diligent under the circumstances and they would have to present their argument in terms of a timeline of their initial submittal when they got a response, when they resubmitted how that all played out over the last two years, Planning Board process for this board. It's not purely subjective, but there is a

subjective feel to it, right? You're going to make that determination.

Deputy Mayor Carley: I understand your position.

Trustee Pearson: The sewer line that you're proposing, what you're telling me is, it can't go up on 52 along the road part of it. Can it go on your property along 52 up and then over?

Anthony Mirando: Yes. We've moved it there.

Trustee Pearson: That's what you've done so far. That's what you're waiting on for now.

Anthony Mirando: That's what we refiled.

Trustee Pearson: What happens if you got an easement from Dollar General and take you up further on that side of the road and then just cross over?

Anthony Mirando: Number one, we don't control that land. There's a letter in there describing the lack of constructability and path to be able to go on someone else's property in this particular location.

Trustee Pearson: How about going across the street and an easement on somebody else's piece of property on the other side?

Anthony Mirando: I don't think that's feasible. I'm not an engineer and I don't have a memo in front of me explaining it, so I'm certainly not going to go out on a limb.

Trustee Pearson: Those are other options. There's been other options that you haven't maybe looked at. You're just blaming the village for not wanting to take over the sewer line.

Anthony Mirando: I'm not blaming the village.

Trustee Pearson: Why do we want to take over sewer line that's a private line that other taxpayers have to pay for? That's a fair to the taxpayers.

Anthony Mirando: The agreement talks about being a main. I'm going to leave it there. But the bottom line is we did look at alternatives. We did look at the alternate line and we filed it.

John Mensch: We presented to DOT that we would own the line. We paid for the line and we maintain the line. There was no cost to the taxpayers.

Trustee Pearson: I knew that. I'm going to say if the village owned it and we have to maintain it.

John Mensch: If the village owned it, I would still have to maintain it.

Anthony Mirando: We've already offered that.

Trustee Pearson: Until you move out.

John Mensch: No. Have to go with the property. If I moved out. So, anybody in the future that owned the property would have to maintain that line and replace the pumps. So there would be zero cost to the taxpayers. We did offer that.

Trustee Pearson: That's fine. I just still think it should be on your own property and let it go up through your property and cut over. Which you just did now and that took two years to do that.

Mayor Ramos: I agree with our attorney, Mr. Donovan, that this project has had its efforts indulgence from day one, and DOT is lethargic. John, I'm not the owner of the company, but I'd be stayed Albany on their footsteps at the DOT commissioner's. Just to give them a little nudge because I think this is unfair that they have kept you captive during this process. Not only is it hurting the business and the company, it's also hurting the Village of Walden, because we are not collecting our share of sewer. We're collecting water, but not sewer. Mr. Donovan, what the next step?

Attorney Donovan: The request is for a 12 month extension. It's up to the board. You can put that up or down. I just made a suggestion for 3 months.

Trustee Pearson: We're talking about sewer waivers. If you're going to allow an extension, then we need to get a sewer waiver from them for the time frame that the extension.

Mayor Ramos: With the issues that are at hand, the lighting. We suggested that your lighting can be replaced with 90 degree angle lights so that it's not illuminating outward but illuminating downward. Obviously the septic system has to be inspected. The fee has to be paid. That's really not that big of a deal. If that's supposed to be done, obviously, we'd be amiable about a waiver. The attorney suggested that we have three months so that the three new board members can digest this. I don't know if they feel comfortable right now in asserting a decision, but I thought that'd be more than fair to come back and hopefully DOT has at least budged.

Anthony Mirando: As you said, we look forward to having a meeting. That's one thing we know would be productive. We don't think the lighting has any nexus to this current issue. It doesn't mean we're not going to talk about it and look at options. There's an approved site plan. In addition to that, I would just say I would like to discuss what they mean by a septic inspection. The provisions with reference we don't believe applies when you try to fit a circle into a square hole, it doesn't usually fit what standards. There are just things to look at. I'm not in a position to agree blindly to something. I'd like to understand more, which is why we're trying to make meet with Dean, John, Dave and get an understanding of what this all looks like at this point. It's what the board wants to do in their end.

John Mensch: As a settlement for the single light that is on, if I do a dawn to dusk and I know Mrs. Winum is not here, but I can approach her tomorrow. At least, my busses get in because my busses are not out all night long so I can put it dawn to dusk light so it's out when the nighttime goes. Now it's the summer and spring, so it's out, because it doesn't get dark till 8-9:00 at night and then it can get turned off throughout the dark hours. But again, I'm willing to approach Mrs. Winum with that alternative because I do need some lights for the employees unless she wants to ensure my workers comp policy. But I don't think she will be able to agree to that. The other thing is that we did pay the village a septic waiver. It is due every year. It's up now. So, we were hoping that we get an answer, but we'll be down at the Clerk's office tomorrow morning to renew that. We did pay it for the last two and a half years.

Trustee Pearson: Did they?

Manager Revella: I'll check, but I know that we've talked about it before. It's possible.

Trustee Garrison made a motion to grant a 3 month extension with subject to issuance of sewer waiver and remedy of light. Seconded by Trustee Maher. 6 ayes. 1 nay (Trustee Pearson). Motion

carried.

Manager Revella: Does the board want to determine up to three members maximum that want to attend, so we can coordinate one, two, three or none. It's up to you guys.

Trustee Pearson: Would it be even during the daytime?

Manager Revella: It would be during the daytime. Probably a Thursday.

Trustee Maher: I would like to nominate myself.

Trustee Pearson: It could be on a Thursday.

Trustee Garrison: I'll go.

Mayor Ramos: Trustee Garrison. Trustee Maher.

Trustee Batson: I'm going to be on vacation the week. If we issue a three month extension the first week of August, I will not be able to attend that meeting. I don't think that it would be right for me to attend a localized meeting. I'll have to excuse myself.

Mayor Ramos: Hopefully we'll have this meeting starting next week.

Manager Revella: That makes sense. Two or three is fine. It's up to you.

Mayor Ramos: We'll stick with three.

Trustee Pearson: I can only go on Thursday on certain times during Thursday. I don't have a big flexible schedule. If you want to make it for a Thursday, I can meet on a Thursday, but you have to let me know ahead.

Manager Revella: It'll be Trustee Maher and Garrison for now.

Village Manager's Report

Manager Revella: The budget was a big part of the last couple of weeks and any discussion regarding cameras or potential cameras. I'm sure we could find creative ways to fund them if we get the right pricing, and I'll bring that to the board once we get that. Also will clarify on the dispatching issue with the county as well, because I'm sure, Ms. Thompson's memory, may be better than mine, will have to check. Since last meeting, met with special counsel, Department Heads and Treasurer going over CSEA negotiations. Actually held the CSEA negotiations as well. The mayor had sat in on one of those conferences with us to get up to speed. Had a conference with the Village Clerk and the workers comp rep. Went over all of our current cases and rates, which was incorporated in our budget. Met with the Rec Coordinator to go over the year end and projects at parks, status. Discussed those with the engineer. Met with the Building Inspector on the upcoming hearings and getting paperwork together. He's working on that with the Village Attorney. Went over the budget and capital plan with the engineer as well, which you're aware during the budget session we went over that with the board. Met with the Comptroller a couple of times regarding audit updates. Met with NYSEG as I mentioned earlier and Village Attorney to go over billing concerns and NYSEG projects that are coming up, they're doing some line upgrades that they need the Village Board's approval for. Conducted interviews for a part time candidate for the village office, made an offer, but the person was seeking a full time position instead. So, we're back to square one on that again. Had an EFC conference with the Village Engineer as well on impacts for

the grant and the consent order and that was also discussed during the budget sessions. Rec and Parks have the parks up now. Their cans are out, de-winterized, ready to go. Teen center, after school going on. Easter egg hunt was well attended on April 8th. They are setting up indoor pickle ball at Wooster's Gym. Programing is ongoing at the Community Center now and online registration is open for summer camp, tennis and flag football. Code Enforcement Officer issued four building permits, four certificates of compliance, one CO and six violations for property maintenance, four fire safety inspections, had a new complaint in the office, two landlord registry violations and did 17 inspections. The Part Time Building Inspector issued 13 permits, six certificates of compliance and four COs, and continues to assist with Planning and Zoning Board. Clerk's been updating Facebook, website, 207c and police. We did have one Police Officer go out on retirement now, so they're off our payroll. I'm not sure if the boards aware, we also had a full time DPW member retire, as well. Helped with the office interviews, processing handicap, minutes, responding to resident complaints. Finance Department working on audits for RBT and the comptroller. Our 2021 audit is completed. They're scheduling the 2022 on site at the end of May because they're doing all their tax returns now at the auditor's office. Working on issues with Edmunds, bank reqs, quarterly returns, has been attending CSEA negotiations to help out with the financial aspect, helped with the interviews, sent delinquent notices out for outstanding bills for year end and updating budget transfers which we have on the agenda. Public Works, did have the sweeper out as much as they can, working on catch basins, patching. Sewer is cleaning the stations and the grit channels. Get that ready from all the winter debris. Water put in two new meters, five end points, 22 markouts and four inspections. They cleaned and painted the well houses. Actually, tour'd the new trustees around to check all that stuff out. DPW also checking on street lights. They finished monthly reports for the Department of Health. Flushing the hydrants are going on right now as well as the normal jetting and checking on routes for cutting our trees. Police Department obviously still an issue at staffing. The new list is not out yet. We're hoping it comes out first week in May. Still open for part time applicants, if you know anyone. Did have 15 traffic tickets, eight parking summonses, three MVAs, seven arrests, 26 traffic stops and 358 blotters.

Trustee Batson: In the DPW, it notes the follow up of complaints. The only one I see that notes complaints, is there any particular themes that may be indicative of an emerging problem?

Manager Revella: No, they could be random. My sign fell down. A tree limb is in the street. Someone ran over woodchuck. Random things, they add up.

Trustee Batson: Fair enough. In the Rec Department, it says basketball has exceeded was a huge success. I know we looked at the budget that the camp was also a huge success. If these programs continue to grow, which is wonderful. Are we at risk for not being able to offer these services to our community without any additional headcount, which is challenging to say post-budget?

Manager Revella: The revenue for basketball usually covers personnel. Summer camp, it's not as much. So that's where we try to have a little bit of wiggle room. And we usually budget for a few more counselors than we anticipate campers. So we have enough to cover, but you never know.

Trustee Batson: The Police Officer that retired, that headcounts not gone. It leaves us with an additional opening that needs to be filled.

Manager Revella: Correct.

Trustee Batson: And we anticipate the same challenges of hiring a full time Police Officer that we've experienced with the part time?

Manager Revella: No, we just need the county's list. It's not available yet until May. All the

officers that pass the test, candidates that pass the test, are taking their physicals. So even though they pass a test, they still have to pass the physical agility test. Then they have to pass a psych exam. Then we can hire.

Trustee Batson: But there is at least a pre-approved pool to pull from.

Manager Revella: There are over 100 on the list.

Trustee Batson: On the Treasurer's report. Is that open for discussion?

Manager Revella: Depends on what it is.

Trustee Batson: The bullet point says work with banks to resolve issues with checks cashed by the incorrect vendor.

Manager Revella: Yes. So we have a check. Like, say, for example, I wrote a check to NYSEG. And for whatever reason, the mailman delivers it to Central Hudson. Central Hudson cashed the check. That happens sometimes. Whatever bank they're using has cashed the check, even though it's not in their name.

Trustee Batson: But you can say with confidence this was not a clerical error.

Manager Revella: No, we called the bank. We're like, listen, this is not correct and they called the other bank to try and fix it.

Trustee Batson: It's an external issue.

Manager Revella: It could be. Some cases, it may be that wrong check went in the wrong mail. It's possible. Doesn't happen often because usually the address is printed on it.

Trustee Garrison: I'm looking at the police here. 26 vehicle and traffic stops. Are we showing an increase in traffic stops and citations?

Manager Revella: No. We are not.

Trustee Garrison: That's still a product of we're trying to fill those vacant slots.

Manager Revella: It is because of the load of casework that goes on with the officers that are here. As they have to take on all the casework. They don't have a lot of time to go on the road and just patrol for speed and things. And that's usually filled in by part timers, which we're also lacking.

Trustee Garrison: Can we just touch on the community center programing? What kind of programs are we talking about?

Manager Revella: I've given a calendar last meeting of things that are going on in the community center. Today, for example, they had seniors that were having their bingo. They do different activities. They're trying to get someone that can do the, I don't know what they call it. It's not soft chair aerobics, those kinds of exercises that are low impact that can happen there as well, for Wednesdays. That's kind of what's open right now. But Tuesdays and Thursdays are pretty full and they're starting to fill in a lot more.

Trustee Hall: I don't have any questions. Just congratulations to the Officer and DPW worker who

retired.

Trustee Maher: The NYSEG meeting, how did that go and were they able to resolve some of those outstanding bills?

Manager Revella: Two issues were resolved. One, they wiped out because they knew it was wrong. The other, they're pursuing the proper person that should have been billed.

Trustee Maher: I do have a question about the community center with regards to finding someone to volunteer for said position. Do they have to be licensed, do you know?

Manager Revella: I don't think so.

Trustee Pearson: When the Treasurer meets with the manager for the rehabilitation loan request. Do we have a lot of them? Loan requests.

Manager Revella: We have no request right now.

Trustee Pearson: It said, just met with manager to review rehabilitation loan requests.

Manager Revella: Those requests regarding a payoff. And there's a request regarding clarification which came through a FOIL. And there are also requests for payments of current loans we have. Not for new loans recently.

Trustee Pearson: What's this about the tax payment up on top of that?

Manager Revella: Because somebody filed the tax tertiary, so they got a reduction and they're looking for their payment. So, Bryan Paz is the attorney for a company that owned a property on Orange Avenue and the court granted them a lower assessed value, which we thought was ludicrous because the property sold for more. But they got it and we had to owe the taxes that were paid in advance.

Trustee Pearson: Hill Street Bridge. Any news?

Manager Revella: I don't know what I can discuss in public, we're in litigation.

Attorney Donovan: There's a Freedom of Information Request that our attorneys have sent to the town for some additional information.

Trustee Pearson: Comptroller, where are we at with all of that?

Manager Revella: They're going to be here for months. We had a good meeting with them today.

Trustee Pearson: Keane & Beane, we find out whether their travel time was in the price?

Manager Revella: There's no travel time right now. He would let us know in advance if he was going to anticipate travel, before he would try to build it.

Trustee Pearson: Walnut Street resurfacing was supposed to be done last year. Are we doing that or not?

Manager Revella: 2 years ago. We've been trying to get someone to do micro sealing. We think we

have a bid on it now. I think it's a county bid. So, we're going to try and piggyback that to get that done. Fred and Queenan, were talking about it the other day to see if it still made sense to do that first and get it done or if we have to do any patching first.

Trustee Pearson: Have you talked to the state about crosswalks?

Manager Revella: The state will not put a crosswalk at the end of Orchard Street. It's too close to the intersection.

Trustee Pearson: Somebody's going to get killed there.

Manager Revella: We told them. They don't care. They said, nope, it's within a certain number of feet of the intersection where there already is a crosswalk.

Deputy Mayor Carley: Orange County Transit. They literally said, they sent you an email or something to that effect that we need to reach out to them now. Just for clarity, we need to make sure that we close the loop. Starting tomorrow, they call. I mean, we should call them or somebody call them, set up a date and time.

Attorney Donovan: Tonight, when they left, they said they would wait to hear from you.

Deputy Mayor Carley: They said they're waiting to hear from us. So, it shouldn't be like three weeks.

Manager Revella: Understood.

Mayor Ramos: Two things. Maybe I fell asleep or something, but specifically, why won't they give us the crosswalk?

Manager Revella: I have it in email. I can forward it to you. Said it's too close in feet to the intersection at Main and Ulster. There's already a crosswalk there that people should use. They didn't quote anything else, but I'll show you the email.

Mayor Ramos: Second thing is to stay away at the Orchard. Please don't let them start, pouring concrete in there. It's the wrong form, same degrees that was there last time and they tore out. It got broken down. You got to contact the contractor. Please tell them that we need a center landing.

Deputy Mayor Carley: Somebody said that we don't owe anything to Orange County Transit, but is there some sort of note that we, I don't know if we officially agree that we would provide some sort of letter documentation, authoritative push to the DOT on this matter?

Attorney Donovan: My suggestion is to talk about that at the meeting. The board can then decide what they want to do.

Manager Revella: That language may be different than what might be helpful.

Approval of March 28, 2023 Minutes, April 4, 2023 Regular Meeting Minutes

Trustee Batson made a motion to approve the March 28, 2023 minutes. Seconded by Trustee Pearson. 6 ayes. 1 abstention (Trustee Maher). Motion carried.

Trustee Pearson made a motion to approve the April 4, 2023 minutes. Seconded by Deputy Mayor Carley. 6 ayes. 1 abstention (Trustee Garrison). Motion carried.

Public Comment

John Thompson: I'm here for some code violations. As I'm preparing that, I would like the board to think, ponder the idea of a lot of these people have been cited numerous times before. For the same reason, over and over again, it seems like it's always a revolving door, reoccurring problem. It's the same problem children. We need to up the fines. I'm sorry to say. Whether we double the fines. I don't know. It's up to you people to make the decision. I think if someone is fined three times in a calendar year for the same thing over and over again, then they should be brought up to a different level of standard as far as the fines go. I'm going to show you a few.

Manager Revella: This has to do with one of the items on the agenda?

John Thompson: Yes. Do you want me to go to that one first? Also, it kind of goes with I and J, as well. But even though they're not included. First, we got a brand new community center up in James Olley Park and you're going to have a lot of weddings, parties and this is what people are going to see when they drive up to it. *shows picture of 46 Grand Street*. That has been there for a long time. It has not been cited. I don't know what the Building Department is looking at, but that's one that needs to be addressed. Keep in mind, when people drive into Walden, what do they see? Here it is. When you drive through the Village of Montgomery, what a clean looking town. What a beautiful town. I think we all can admit that. You don't see any of this. That's the backyard of it. I think there are a few violations. I don't think that whole roof is even secure. Someone does live there. I wrote down rehabilitation loan. Maybe they don't know they can come to you, John.

Manager Revella: The owner knows.

John Thompson: *shows another picture* That's the fire zone down at Empanada. That's kind of self-explanatory. Is that going to be in some kind of litigation, John?

Manager Revella: I don't know but that's in the letter to the owner.

John Thompson: Usually when you put the application in, you wait to get it approved before you do it. He may get approved for it. I don't know how I was going to even invite a Fire Commissioner here that there is absolutely no way, right, Kristie? That there are no way you can do this in a fire lane. Am I correct?

Trustee Hall: You're correct.

John Thompson: Thank you. I don't know if you get a hold of the highway department, go down with a masonry truck, load the stuff up and get it out of there. You're allowing it. Shouldn't be there, period. I'm not going to go on all of them. *shows multiple pictures* I'm not going to show all the bugs inside there. I opened up the refrigerator this is two days ago, and the bugs are still there. I could go back to the March 16th photo if you want and the bugs are still there. Do we have a tree stump contest that we can have a decorating. I can't enlarge that anymore. We got a baby in there with a hole in his chest and red things coming out. It looks like a circus down there. I think we should get a couple of aluminum foil trees and maybe plant them up in the, not at the community center. I think that would be good, the aluminum foil trees. Then we got the toxic dump over here *shows another picture*. The stuff is all over down there. This is Ridge. I went up to take a look at Mary Ellen's problem for the first time to see the sewage running down there. And here's a fence pretty much falling on the sidewalk. You're telling me the owner can't get that?

Manager Revella: What number is that?

John Thompson: I don't know, John. It looks like 19, but I'm not sure. I was just driving there to do something else. I know we don't have a Building Inspector, but we do have a Code Enforcement Officer. Doesn't he see this? Come on. I shouldn't have to be up here. This is not the first time I'm up here for things. If the person can't afford it, and doesn't want to get a rehabilitation loan. Everybody uses Scofield Street to come into town. And this is what we got to look at. It's right on the corner of Ridge and Scofield. This is ridiculous. I know the Code Enforcement Officer had to have driven by this some time. Has he been cited?

Manager Revella: He's been cited. I don't know how recent.

John Thompson: I hope the board addresses the code on that one. I think I had a couple of those. And the garbage cans out at the old tick store. The last time I came on those, Dean had already addressed the situation, if you remember. Then they were gone for a while and now they're back. I've been sitting on that for a couple, two or three weeks. I did my due diligence on this one. I checked and they haven't been cited.

Manager Revella: The Building Inspector came today to talk to me about sending out a notice to all residents, reminding them to put away their cans on website and Facebook.

John Thompson: When you send a notice out there for let's say this particular violation. Is there a time frame you give them? What is the minimum?

Manager Revella: Yes.

John Thompson: It always seems like 30 days.

Manager Revella: No. Some are less.

John Thompson: We're back to Empanada. What are we doing down there? Is this really going to draw people to Walden? The fire lanes, the issue.

Manager Revella: I can notify the Fire Department about it.

Susan Taylor: Gotta love the bus company. He forgets. He's got to be happy. He's got village water. We know what that laterals going to cost at the end of the day. Now he's got a new business in Middletown. He's saving money. It's not his first rodeo. He owns a bus company and he doesn't understand how the DOT works. You own a bus company. You know how the DOT works. We know how the DOT works. Didn't help that he stopped his paperwork when the pandemic started and didn't file all the papers, didn't go to the Planning Board, didn't go to the Zoning Board. He stopped all that. But he forgets that. I'm going to remind everybody that he also had a facility in Maybrook, and once he rented Amthors, all of a sudden he moved all those busses and all those employees to that property at Amthors without letting the village know. Knowing that we questioned the limitations of the sewage that he had and couldn't handle all those extra employees. No, but he did it anyway. I wish we could have Fred pull one of our dump trucks into everybody's house and point the lights into their bedroom at night and leave them on. He can't turn those big lights off at night and then turn them on in the morning when his employees come in. How about that? Turn those spotlights out. I wouldn't want to sleep with those lights. He's not a stranger to this kind of stuff. He had a business on Long Island. I think there was a little bankruptcy involved. He's been under three names and now he's under an LLC. He knows what goes on with the DOT in this business. You're absolutely right, Deputy Mayor. If it's time to fine them, it's time to fine them. It is what it is. And he knew when we first gave him this agreement, he said, well, we knew we weren't going to get it done in 12 months. Well, then why did you sign it? He signed it. And he stands here

like he's the victim. And how dare he speak to this board the way he spoke to the board? He's going to dictate what a motion can say. Who does he think he is? It's nice that he has a business here. And by the way, I have a friend that, right there when they pull out of that bus park. They're not going to Guido's and they're not going, whatever. They're heading to Newburgh. I know people that work for that company. They don't come to the Village of Walden to spend their money. They're going in other directions. He most certainly can finish doing things on that property. I want to remind, Becky, you probably remember most people on the board currently don't. Before we decided to build the DPW building where we built it, we looked at properties. One of the properties the village looked at was the Amthor property. Because of the proximity of the Tin Brook and sewage issue there, we were advised, don't touch it. We didn't buy the property. We didn't go there because we knew what the issues were there. So it's not strange. They may be, but it's not strange what this board has said to him. He's acting like a victim. It makes me laugh. Another budget issue, the library. The Town of Montgomery. Rod Winchell, decided that he was going to bring town residents into parity with village residents for the usage of our library. When Rod left and they decided they weren't going to give the village that money, it was a five year plan. So they took that away. Our librarian goes there with such records. She can tell you how many town residents use that library, what they've purchased. Records upon records upon records, and they still don't think that it's their responsibility to bring the town residents into parity with Walden. It's fine for the Walden residents to foot the bill for them, but they're going to make sure we pay our fair share for the ambulance. You can bet your boots on that. Hill Street Bridge. Another issue with the Town of Montgomery. They own it. They should have to repair it. I don't know if everybody's figured out the disdain that it seems the Town of Montgomery has for the Village of Walden. Too bad about our bridge. Too bad about our library. Short term rentals. I don't know much about them, but I did some research and talked to some people who have short term rentals in their neighborhoods. They said it's been nothing but a nightmare. People rented. Then you couldn't get them out, even if it was a short term rental. Parties, garbage, cars coming in and out all hours of the night. They rent the place. They're not staying there. Other people are coming in. They're subletting. They're short term rental. We can't enforce some of the laws that we have on the books now. We're going to enforce short term rentals. I understand we have to come up with a plan. New York State says we have to, but I can't even imagine what's going to happen in this village when you have to start doing these short term rentals. If we do the short term rentals, it's going to be another nightmare. In the pictures that we just saw. God knows what's going to be in this village. I just can't believe what's happening. I can't believe those photographs. I go in my little way and I don't look. Now I'm going to start looking and now I'm going to start taking pictures because I really don't pay attention to a lot of it. It's disgusting. It's embarrassing. You've worried about Main Street. People are going to ride around looking to buy houses here, and this is what they're going to see. I'm sure they're going to want to pay for a new house in a neighborhood with something that looks like that. It's embarrassing.

Mary Ellen Matise: Let's talk about Orange County Transit some more. We know how DOT, I don't even want to go there. But that's because you could probably have the best of intentions present, the best plan. And then who knows what they might decide next week or six months from now. But how could they tell them that the pipe was too long? How did this how did this get passed a site plan approval? If they had an engineer, we had an engineer, they wouldn't have known when they did the site plan approval at the Planning Board level that the pipe was too long. That's just something that DOT all of a sudden just said, by the way, your pipe is too long now. I don't know. I'm just throwing that out there. Was it something that we didn't have proper oversight on at the time or not? That's just that as far as the rest of it. You're going to get to the bottom of it, and I hope you do. Setbacks, though, along that strip, they own all those five lots. So even though the one guy is a car repair place. At the time that they were in process of being annexed, I brought that up. I think, John, you said, once they become village are set backs are greater than the towns, the cars parked up close to the curb and we'll enforce it. We sure haven't. Those cars are still right up to the curb. Here's Jean when I'm having to write a letter saying she can't get out of her driveway because

they have a bus park there and it's a sight distance obstruction. So are all those cars that are for sale, their sight distance obstructions, because are parked up too close to the curb. So, if our setback is greater than the town setback, they're not in the town anymore. And it's time to enforce it. When you have the meeting with them, please mention that bus driver backing up onto the highway. That was dangerous. If they persist in doing that, then the PD should be watching them. But of course the big secret is we don't have enough officers to do it. Everybody knows that. I just want to get a dig in the ambulance costs being in our budget, which unfortunately it is because of the whole delay in us signing on for it. It's not that the taxpayers are paying any more because we would have been billed directly and we would have been billed the same amount. But this is like \$136,000 that could have been used in our budget for something else.

Lynn Thompson: Our TV, is our installation complete? I thought the wire was supposed to go in the wall or be in one of those channels. You might want to read the contract again. I don't think that's quite complete. I didn't notice it before until I was trying to look at that presentation tonight. Scout Projects. I thought that any scout project had to come before the board for approval. I know that the last few have not and I was just curious if the board has changed policy and procedure. I looked at the project down at Olley Park. I think maybe the board might want to go and take a look at that. I thought they were supposed to come to you for approval. I've been reminding people that I am no longer on the Village Board. They still come up to me at Hannaford and different places. One person complained about the speeding, which I encourage them to talk to John Revella or come to a board meeting or call Chief Herlihy. And another one asked me why board members are parking in the library parking spots. They told me that the signs are from 9:30 a.m. to 9 p.m. Monday through Saturday. I did go and look and that is indeed what the sign says. So, we're supposed to set an example. Perhaps we should be very conscious of where we park our cars.

2023-2024 Budget

Manager Revella: I'm not sure if the board has any other questions, comments or concerns regarding the budget to discuss before making a motion.

Trustee Pearson: Last year, we put in a stipend for Fred, for a one-time stipend, I thought for his licenses.

Manager Revella: Annual.

Trustee Pearson: I thought we said it was a one-time stipend for that. That was my thought process that's in there again this year. I don't know if any of the older board members know what was discussed, because I thought it was for a one-time stipend because we were giving stipends to other people at that time and we said that he should have it for his licenses. I didn't think we were doing that every year.

Manager Revella: I thought it was annual. I don't know if the Treasurer remembers different than I do.

Trustee Pearson: She wasn't here. It was done after the budget was done. It wasn't done during the budget session. We had talked about during the budget last year because the raises were so high. We had talked about instead of doing raises so high, we would give stipends, possibly instead of raises.

Manager Revella: That was discussed in this room. We discussed it because we ended up having a difference of opinions on percentages.

Trustee Pearson: That was during the budget. Then we didn't do stipends. Then we talked about

changing salaries. The stipend happened in your office during executive session, I believe. For like three other people. So, that discussion happened there. I just wondered and I was pretty sure it was only for one year because we didn't give stipends to anybody else for annual.

Manager Revella: It's for him having his license each year. That's what I was under the impression. That's why I didn't move it.

Trustee Pearson: That wasn't my thought process.

Manager Revella: If he doesn't have the license then he loses the stipend. If he maintains the license, he keeps the stipend. That's my impression. I don't know if anybody has any different recollection.

Trustee Pearson: I thought it was just for the one year. Trish, you were sitting there last year and the mayor and Willie. I just have a thought on that. I just didn't think about it and I just saw it in there the other day. I was looking again, so I just wanted to bring that up.

Trustee Maher: I don't recall it. I have to go back through my notes, but I think if the cost is the same every year, it makes sense to do it every year.

Manager Revella: That's what I thought the intention was. I don't have any other notes on it in the file either.

Trustee Pearson: Willie you remember anything? Mayor, anything?

Deputy Mayor Carley: From my recollection, I agree with John the intent was, because I wouldn't see why we would say okay you're right and then move on when it's value every year that he works.

Trustee Pearson: Well, stipends are given because of why? Why do you give a stipend?

Deputy Mayor Carley: There are various reasons.

Trustee Pearson: Is it just easier to do a stipend instead of put it in his salary? Is that what you're saying?

Deputy Mayor Carley: I'm not saying that.

Manager Revella: It is because he's not going to get a percentage increase on the stipend. It's flat. That's the difference.

Deputy Mayor Carley: I just know that when we were talking about the credentials that go along with the job that he held some that were very high, that on average, if we had to pay somebody in their salary with those credentials, that would take our salary, our budget way above whatever that number is. I wouldn't use the word compromise, but to bring it all in to like where we can work together.

Trustee Pearson: I just thought of it differently.

Mayor Ramos: That was the easy way of handling the, if I remember correctly, three permits, that we at least, besides his salary, make sure that, his titles and his permits are up to date. That would be one of the reasons why we gave him those stipends so that he can maintain them on a yearly basis.

Trustee Pearson: Cameras, I know I brought it up at the end of the last budget session inside. I do believe we should find the money for them somewhere. I believe that Main Street is missing them. There are businesses that probably could use them, supporting them as a community. I don't know how much that will cost. I don't know if it can be used for the community development fund you talked about or we'd have to find it somewhere in the budget.

Manager Revella: As I mentioned earlier, there's creative ways to find the funds once we know what that amount is, until we know what the amount is, it's really moot to discuss it because we don't know. It could be \$5000 per camera. It could be \$20,000 per camera. We're going to find out. I know the issue with the ones on Main Street we're wiring. We're trying to figure out ways to get around that cost. Remote or something. We're looking at options.

Trustee Pearson: Garbage. I know the garbage went up. I talked to you today about senior garbage rates. I've had some people contact me about the difference. They're getting a discount on it. But can they get a better discount on it? The rates are going up and that's the board decision to make as well. I don't know if you want to do that or not do that. What did you say, John, we have about 210 people?

Manager Revella: 219. Now just an application. Actually, 220 put in.

Trustee Pearson: 220 people out of 2000.

Manager Revella: 2,196.

Trustee Pearson: Basically 10% of the village is seniors. Something to think about if you want to. We subsidize our children to go to some of the camps and things that they go to because we don't raise our rates. You subsidize that. Why not protect some of your seniors as well? That's just my thought process. The backhoe. I had a question on the backhoe. Could you tell me what the name of that backhoe was that we've only had for seven years and can't fix it?

Manager Revella: We've had it for longer than seven years. We looked up the records. I think it's 11.

Trustee Pearson: What's the name brand of that? Are they American?

Manager Revella: JCB. British.

Trustee Pearson: Why would we buy something that we can't get parts for?

Manager Revella: Because at the time we could. At the time there's a local vendor. The place closed down just around COVID, and now we can't. So it's been an issue.

Trustee Pearson: Are we trading it in? What is the trade in value?

Manager Revella: Yes. Right now that we received, it says it on the sheet that you were given. \$42,000.

Trustee Pearson: CSEA rates for this year. Not what you're negotiating. What percentage are they that?

Manager Revella: There isn't one because we're open. The contracts over.

Trustee Pearson: What were they last year?

Manager Revella: The last year of the contract, I don't remember what it was.

Trustee Pearson: When we do a budget and there negotiations are going on now, do they get a percentage? Do they just get 2?

Manager Revella: They get nothing until there's a contract. That's why there's retro.

Trustee Pearson: Time clocks. We know we talked about time clocks. There are no time clocks here. Police Department. That's it.

Manager Revella: Yes.

Trustee Pearson: Why can't we have time clocks?

Manager Revella: For what purpose?

Trustee Pearson: So we know where people are doing what they're doing, how they're doing. That's how you regulate their time.

Manager Revella: We know where they are, when they are because they're here and we see them.

Trustee Pearson: Thank you.

Trustee Batson: Follow up to Trustee Pearson's question around supplementing the seniors. Procedurally, how would we do that?

Manager Revella: We do now. \$64 cheaper for seniors.

Trustee Batson: How do we extend that?

Manager Revella: To increase it? Find the money somewhere else. I just don't know what number you're looking at or where you'd find it. Come from some other tax dollars somewhere.

Trustee Batson: A second whatever for cameras. The importance there can't be understated.

Manager Revella: That's not difficult. Just need the pricing.

Deputy Mayor Carley: Just for the cameras. It's been an issue for a while.

Manager Revella: We had a price last fall. We didn't have any money for it. The price has expired, so we're not sure what it would be now and it wasn't the best option. So, we need to get updated pricing.

Deputy Mayor Carley: So that's both for the parks and the community.

Manager Revella: Everywhere, yes. We tested one out for about a year. In the lobby downstairs. It was great. But I don't think it's the most cost effective way to do it where we need to do. I remember it was between 10 and 12,000 per camera for the type that we demoed. I don't think it made sense.

Deputy Mayor Carley: Prices are going up all over the place. So, it might make sense.

Manager Revella: I hear you. I got a great camera right here. \$500. I don't know. There's got to be an option that's better. We're trying to price that out.

Deputy Mayor Carley: I wanted to bring it up because I know that we were trying to price everything out. But at the same time, things are going up. We may be faced with a cost.

Manager Revella: That's why I like the ideas from the board as well, if we can do these three priority cameras first, let's do those three and then see what the pricing is and if it works out and then do maybe three a year or four a year and get it that way. Instead of doing it all at once. We might not be able to bite that bullet, but for a couple at a time. Sure.

Deputy Mayor Carley: Figure out our priority list and then address it.

Manager Revella: I think the board mentioned the priority the other night. You weren't here Thursday. They wanted the parks first. That's what we're looking at first.

Trustee Batson: As we explore cameras, I don't know how wild of an idea this is, but there is a growing sort of trend that cameras don't have to be permanently affixed. Just like we see the temporary speed limit thing that we've seen that's gotten great feedback. I think if you look in any parking lot for major corporations, they have mobile cameras. Act as an excellent deterrent. I don't know if those are a potential viable option in the short term, maybe even long term, but if somehow, some way permanently fixed cameras aren't affordable, there may be at least a temporary alternative in that.

Deputy Mayor Carley: I think it's a good idea for the seniors, if we could look into that and find that if we can just do some digging. I don't know how long that would take us to figure that out.

Manager Revella: Have until May 1st to adopt the budget. It has to be done by then, because it has to be on the tax bill.

Deputy Mayor Carley: Thank you.

Trustee Pearson: Do you know what the percentage is now?

Manager Revella: Where are you going to find the money is the question. And we're in the last stage of the budget. Where's the money coming from? Can you give up your salaries? We're going to cut it from somewhere else. Are we not going to pay bills? I just don't know where we're going to get that money from to give them more of a discount. I think it's great to give a discount, but where is it coming from?

Trustee Pearson: Taking money out of the contingency fund to fund stuff. So, take that, too. You have to be down between 19 and 20% anyway.

Manager Revella: We're there with what we did. We don't know what it will be until the end of the year. If this is an issue again next year, it's a lot easier to do. We don't have that number yet. We still have 2022 closed out to know that yet. We're getting there and we have an idea, an estimate. We don't have an exact number. I'm not comfortable with doing that. I'll look into it and try and find something.

Trustee Maher: What about possibly a hardship application that could be presented to the Board of

Trustees for candidates who can prove that they have a hardship paying?

Manager Revella: That's \$10 more a month. I mean, if they can find a hardship from paying \$10 more month or I don't know what you want to do with that.

Trustee Pearson: Well, we don't have we don't have a meter reader. Why don't we use that line? You haven't been able to find one. Is parking still an issue?

Manager Revella: Yes. We get complaints often. We've had major issues with businesses downtown saying there's no one here to get these cars out of the way. The intent is to fill the position. I hear you. Being creative. I understand.

Mayor Ramos: The budget was well thought out and well worked. We're forced to swallow that everything is going up in price, specifically the garbage. It's a pretty healthy budget. Thank you both for working pretty hard at it.

Manager Revella: So the public is aware, we're within the tax cap. We're at the tax cap. 2.67

Trustee Pearson: I would like to thank Kelly and John. This is an easy budget to get through compared to last year. I want to thank you very much. We didn't have extra monies we had to spend and things like that. I know you took a lot of time to get through the past part of it and I know how difficult that was. Thank you very much for what had happened and I appreciate that work that was done because I know it wasn't easy. Thank you. It's an easy budget to go through because there are raises, we're not big like last year, things were not convoluted. I thank everyone for the job they did.

Trustee Garrison: I'm just going to piggyback on Trustee Pearson, thank you to John and Kelly. You guys did a great job on this. Also, to all the board, specifically Trustee Pearson, for helping some of the new people along and showing us the way. I do appreciate that.

Deputy Mayor Carley: I echo the Treasurer and the Village Manager doing a wonderful job. And definitely the public would never know the degree of work the Treasurer had to go through to get it to where it was right now, moving through 21, 22, now 23. So, that was a yeoman's task and did a very good job. I appreciate that.

Manager Revella: If you want to cover half of the increase of the seniors, about \$13,500, if you want to use fund balance to cover that. You need to do that now. It's \$27,000 total for the increase to the seniors? So if you did half, it's about \$13,500, which still helps. I don't know. Because we reduced the fund balance that you were you were shown last time. I found some other areas to remove and we did some recalculating to make it work. And it went down to \$40,000 from what you saw. So, we would just increase that fund balance amount.

Trustee Garrison: Does that put us where we need to be?

Manager Revella: We're still within the percentage range.

Mayor Ramos: In light of that new information, do you want to use fund balance an amount of \$13,500 to exceed the discount for seniors?

Trustee Garrison made a motion to adopt the 2023-2024 budget with the \$13,500 increase in fund balance to be applied toward senior refuse discount. Seconded by Trustee Maher. All ayes. Motion carried. (Trustee Pearson and Mayor Ramos abstained from senior discount).

Resolution – 30-22-23 – Budget Transfers

Trustee Batson made a motion to adopt Resolution 30-22-23 - Budget Transfers. Seconded by Trustee Maher. All ayes. Motion carried.

Resolution – 31-22-23 – Budget Transfers

Trustee Hall made a motion to adopt Resolution 31-22-23 - Budget Transfers. Seconded by Trustee Batson. All ayes. Motion carried.

Trustee Pearson: I would like to just say again thank you, Kelly, because this is from last year and we're still fixing that debacle. I want to thank her for finding and it's a hard job to go back for a year and figure that all out. So thank you.

Resolution – 32-22-23 – Budget Transfers

Deputy Mayor Carley made a motion to adopt Resolution 32-22-23 - Budget Transfers. Seconded by Trustee Garrison. All ayes. Motion carried.

CDBG Bid Award

Trustee Pearson made a motion to approve Arold Construction Company for CDBG Project. Seconded by Trustee Batson. All ayes. Motion carried.

Resolution 33-22-23

Trustee Garrison made a motion to adopt Resolution 33-22-23 - CDBG. Trustee Maher. All ayes. Motion carried.

Resolution 34-22-23

Trustee Hall made a motion to adopt Resolution 34-22-23 - Fair Housing. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Hearing Request – Pond Rd Vacant Lot

Tabled

Hearing Request – Empanada Nirvana

Tabled

Short Term Rentals

Manager Revella: Hopefully everyone got a chance to review that local law, the draft. If there are no requested changes on that draft, then you'd referred it the Village Planning Board and the County Planning Department for comment for 30 days. If you're okay with this version.

Trustee Batson: Why is this limited to a particular number of homes in the village?

Manager Revella: Because the committee that reviewed it and the prior board that reviewed it didn't think it made sense to have carte blanche open throughout the village and have all these short term rentals everywhere. That may be a huge impact on certain neighborhoods. So it's even limited to certain zones where it may be a less of an impact. People already accustomed to rentals and retail and commercial cars in and out. So, it may not be as big of a burden to those zones.

Trustee Batson: I think it was brought up by one of the public speakers is, how do we have the ability to enforce some of this? For example, it can't be utilized for more than 100 days.

Manager Revella: There's a permit process. Tracked through the Building Department.

Trustee Batson: The other part here is this is contingent almost on good faith of registration. How do we know or how do we enforce?

Manager Revella: The same as now. People do renovations to their house and we don't know about it until they get caught. Either someone rats them out or they sell the house or just do an inspection and see it when they do a random fire and safety inspection or something. They advertise and get caught usually.

Trustee Batson: Is it worth putting some sort of rider in here that we would monitor? This seems to be a contentious issue. There was obviously public discussion about the concerns of safety for it. The Planning Board has rightly so limited. Should there just be one other condition somewhere that we have some way of policing it through advertising.

Manager Revella: We can police it through any method at our disposal.

Trustee Maher: I'm just curious as to what were the big findings that came up between the Building Inspector, Trustee Pearson and yourself? What were some big changes that were made from the previous agreement?

Manager Revella: We added a lot of language and conditions. Certain zones, timeframes, the number of permits allowed at any one time and in certain zones as well and by owner.

Trustee Pearson: We really were pretty tight what we thought was because the state is probably going to mandate that we have a law in our books that we felt we'd start really small and in a small area if we need to make it bigger later and different areas. But this keeps you in, as John said, an area that's already has apartments and businesses. So, there's a lot more traffic. But we also limited to like one owner who might have an apartment building, can't put in all ten in his unit. It has to be first come, first serve. There's one to begin with. If he wants to come back and rent two more spaces, he's allowed to do so. There are we put a lot of different things from different laws in here than what was originally on the original law. We tightened it up a lot we thought. If you have more comments, we're open to it because it was actually really good sitting with the Building Inspector because he has that knowledge of already doing inspections and how they're inspected and you didn't get this part of it. This is part of the permitting. So it talks about property owner, the managing agent, your names, your phone numbers, everything on it. And then you have your lot, your district, how many bedrooms there are. So many people can only be in there depending on the size of bedrooms and how many bedrooms you have. Two people per bedroom. So that limits how many people can be staying in your place. We didn't get into the fees yet, but we talked about fees of opening up that would be like 500-750 depending on what you wanted to do. The first inspection is free. We talked about that. Every inspection after they leave for every time there's somebody leaving, there's going to be an inspection. We ask them, how is that possible? They said, well, we'd be able to do it because we're starting small. That's why we're going to be allowed ten in the village at the beginning. It's easier to maintain that and inspect those. And as people leave because they have 100 days per unit doesn't have to be all at the same time. But there's a limit of how many days they can stay to begin with. So there's a lot built into this. When you read it, please take your time. Read it. We needed to put something down because it's going to happen whether we want it to happen or not. We don't even have to approve it now. It's just ready to go later on if we want to approve it later, doesn't have to be done now. If you want changes, that's fine too.

Trustee Batson: Are there any communities that have implemented this successfully that we benchmark or role modeled off of?

Trustee Pearson: Yeah. This is my folder on short term rentals and a lot of it is communities that

have it already and we took the best of what they had, kind of put it all together. Each person, every meeting we had, we did a little different section. So each section we went section by section. So we kind of covered everything we thought. But again, if you feel something's missing, please reread it, look at it. And if you want to look at other people's laws, it's great to do that too. You can go and look at other people's laws and see if you feel we want to add something or subtract something. We don't have to do this today. It's out there. We want to get it to you. More questions. Great. And again, we don't have to pass it. It can be two years down the road. It just has to kind of happen when it's mandated. So, we'll have it ready to go if you don't want to do anything now, but I think it's great to look at other people's laws and that's that folder.

Deputy Mayor Carley: I see all the work that was put in and I appreciate that also by the committee. I want to commend you on that. I guess only one that outside of the fees and on 305 and the number that was changed from 86 suspension or short term rental rights. It shows a progression and it goes all the way through suspension. Are there some fees?

Manager Revella: There are fines.

Deputy Mayor Carley: The other part I had an issue with. I see the 750 per day per subsequent offenses. I guess that covers all after you repeat those first two.

Manager Revella: It's 500 1st offense, 750 each additional.

Deputy Mayor Carley: The other one was really with every law we make was enforcement. That's going to be really rough based on the staffing that we have.

Manager Revella: That's why we started only with ten in the whole village.

Deputy Mayor Carley: I hear it. I was going to say, I appreciate starting small like that. I really don't think we should grow real big because I agree with the comments that was made earlier that from what I see and I see what happened here before, I see it always when it starts growing, it gets out of hand, and then you're going to have a lot of issues with transients. I like it small, like we have it. I think that's manageable. But enforcement would be the issue down the road. Great job committee.

Deputy Mayor Carley: That would be my comments, too is the enforcement. If we're only limited to ten, that'll keep it at a good round number so we can keep a finger on it. Thank you to the group for doing this. Does everybody want to read this and digest it and put it on next month's agenda.

Trustee Pearson: I would also like to thank Lynn. She was a big part of the committee. Thank you, Lynn.

Outdoor Café Request – Tres Leches Bakery

Trustee Pearson: These come before us, which I think is great and I think we should approve them. But when we have other ones that don't abide by what they should be doing and still run their business, it frustrates me. So why have the law? I don't understand it. Why should we have to approve anything if other people can get away without doing anything and following the law? That's all I have to say. I think we all know who that's about. It's frustrating to know that that it's okay and everything keeps going. But then other people follow the law and do what's proper. I just have a problem with that. It's nothing to do with these two people. It just was about the concept together.

Trustee Pearson made a motion to approve the outdoor cafe request for Tres Leches Bakery.

Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Outdoor Café Request – Francos Pizza

Trustee Maher made a motion to approve the outdoor cafe request for Franco's Pizza. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Permit Fee Waiver Request – Boy Scout Eagle Project

Trustee Garrison made a motion to approve the building permit fee waiver request for Boy Scout Eagle Project. Seconded by Trustee Batson. 6 ayes. 1 abstention (Trustee Pearson). Motion carried.

Memorial Day Parade Request

Trustee Pearson made a motion to approve Memorial Day Parade request for May 29th. Seconded by Trustee Maher. 6 ayes. 1 abstention (Mayor Ramos). Motion carried.

Public Comment

Mary Ellen Matise: Mayor, are you going to be speaking at that? This year maybe, could we do this? The monument here commemorates the 124th. Every battle on there is the battle for the 124th fought. I've done extensive research on the U.S. colored troops. We had 30 men in the Town of Montgomery. They do not have a monument. They've never been honored. Maybe could we just start something here by at least reading their names at the ceremony this year? I'm trying to get the town to think about the idea of maybe working, a couple of them are buried in Riverside Cemetery and a couple in Berea. Actually gone down in Goshen on the it's one of the older cemeteries in the Goshen.

Attorney Donovan: It's either on South Street or Church Street.

Mary Ellen Matise: South St I think. One is buried there and one is buried in Middletown. I think. I'm still trying to find where some of the others are. Supposed to be one fellow in the Walkkill Valley Cemetery, but Grant didn't have a record of them. But I'd just like to get us into the thing of starting to honor them. It was a dangerous battle for them. It would be nice to be one of the first communities in Orange County to start doing that. I sent you all a notice about the milk factory, so I'm going to wind up doing the presentation. I think I know the whole process by now. I've been involved since they even before they bought the property, I've had phone calls with them. It's going to be hopefully interesting and still a long road to go for them. Wait till they have to deal with DOT. Thanks for the fee waiver for the Historical Society. They can start moving on that. Code Enforcement. I could put hundreds of pictures on a thumb drive. I could even bring you all my old list that I used to give to Jim Politti in little notebooks from 2005 to 2009. I bet you half of those things still have not been addressed. I don't know if that's a topic for the tri-board meeting, if there's something there. I have fire prevention concerns. I've been sending them to some of the trustees, to the manager. The code addresses some of them, but doesn't address some of them. What takes priority does fire code take priority, which is 144-11 or are we superseding our code with allowing other practices in the village? There's a whole bunch of stuff that needs to be discussed. I don't know if you want to start that discussion at the tri-board meeting, think about it. Ask the other 2 Chairs if they would like to bring some of it up at that meeting and let's see where it goes because some of the things are real problems. Some of the things people just need some help and they might not qualify for the loans. We might have to try to find help for them some other way. I'm thinking of a house on Gladstone that needs to be painted for years. The poor guy doesn't have the money for it, so it's a lot of stuff out there. Thank you.

Payment of Audited Bills

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

Miscellaneous Comments from the Board of Trustees

Trustee Batson: Can we get an answer to Lynn's question of should all Boy Scout projects be approved by the board?

Manager Revella: Not if they're not on village property.

Trustee Batson: That makes sense. The gentleman that showed his pictures. Mr. Thompson made a suggestion about progressive fines. One of the ladies over here in the previous meetings had also mentioned about consistent fines for renters and it appears that the fines are relatively static. But when I look at the fines for short term rentals, they are progressive. Should we look at progressive fines for consistent violations in all of our procedures?

Manager Revella: You can make suggestions, but they're still up to the judge for most of those and I'm not sure what else they're allowed to do.

Attorney Donovan: If there's a zoning violation and we take this individual to court so there has to be a court adjudication where the person is either found guilty or pleads guilty and the court can impose the fine. It is legal, just like the penal law does in the state of New York. The first offense X fine. Second offense B fine, third offense C fine. But the court does have discretion, but it could be a local law to amend whatever provision of our existing code you want to amend to have progressive fines. You could do that.

Manager Revella: Some have them already.

Trustee Batson: Great. Can we see the ones that don't? And then do we have data available that shows who the consistent offenders are?

Manager Revella: Yes.

Trustee Batson: Fair. I think that's something I would like to ultimately pursue then, because I worry that if the fines are small enough, they're don't become punitive. They don't do their job, and they don't clean up the issues.

Trustee Garrison: I do want to thank Mr. Thompson. I know he's not here for bringing those photos to our attention. I have to agree there is blatant non care for some properties in the village. It affects everybody, whether you're in that direct area or not. I think I also agree with the great idea that we need to start making punitive fines on these locations to clean up the village.

Trustee Hall: I just want to sympathize a little bit with Mary Ellen and the issue that you have up there, because I'm around the corner. I can see and smell it. I do sympathize with you. Hopefully soon you'll have that rectified.

Trustee Maher: I received an email from a resident. I think we all did. Mr. Sullivan regarding the blasting noises heard in the Village of Walden near Walden Estates. Just wanted to let him know that it looks like that's being looked into. I'd like to request some sort of information, update, maybe or a memo. I don't know how you want to communicate that regarding the rehab loan process that we have here in the village, because it is an incredible program and it looks like there's funding, healthy, wealthy funding in there to help revitalize some of the homes in the area. I know there's a lot of misinformation out there regarding who qualifies. Thank you for updating the website. So it's now accurate, but I think that there are still a lot of people that don't know about it. I don't know

how we want to go about that. I think it's a good idea. I think people it's getting warmer out. People are thinking about doing projects to their homes. Especially those who are in a financial predicament where this could really help them, I think it's important to just have a reminder.

Manager Revella: Just so you know, when the Building Department goes to a location that has a violation or issue, they make that suggestion to the homeowner like do you need help? Here's a program available to you and give them the information. We've got a few loans that way doing that. They do that that way. They always put it on the Facebook page and said, hey, just a reminder, here's the program.

Trustee Maher: I just want to say thank you to everyone in the community that came out for the Hudson Valley Honor Flight this past Saturday. It was such a beautiful turnout. I think that I would love to invite everyone out for the May 20th. I know we still have a little bit of time, but it's in Westchester and we don't get the same amount of turnout. Maybe one or two people from the local area come out. So, if anyone is willing to make the trip, I know it's super early and super late, but we would love to have that kind of show of support in Westchester as well. Thank you.

Trustee Pearson: John, can you go over the code enforcement procedure? When somebody gets a violation, so they get sent a letter first that they have an issue.

Manager Revella: Depends on what the violation is. They may get something else first. Sometimes they get a warning, sometimes they don't. Depends on what the violation is, how severe it is, if it's immediate, health and safety.

Trustee Pearson: And then what happens? They have X amount of days to fix it. They don't fix it then what happens?

Manager Revella: Sometimes it's immediate. Depends on what the violation is.

Trustee Pearson: I don't know. It just seems like things drag on a long time here. I don't know that for a fact.

Attorney Donovan: We have separate enforcement proceedings. There's some that come to this board for property maintenance issues. There's other that go to the justice court. There may be others that go to Supreme Court. It's kind of hard to say that there's a one size fits all policy. Generally speaking, there needs to be a notice to the property owner of the violation. Unless it's an immediate threat to public health and safety needs to be a reasonable time for that person to remedy that violation. If that violation is not remedied or alleged violation, there's either a hearing in front of this board or there is a court proceeding, at that time the matters adjudicated in front of a judge.

Trustee Pearson: Do you know that if they put in time frames or do we just kind of go back to it when we have time to go back to it?

Manager Revella: Notice the violation? Yes.

Attorney Donovan: There's generally a time frame or sometimes they say forthwith. Sometimes they say 30 days. Sometimes they may say less than that, depending on circumstances. But if it goes to court, you're going to end up on the court schedule. I will tell you Walden Justice Court is no different than any other court in the world, extraordinarily inefficient. So, if the defendant doesn't show, they'll adjourn it to the next matter. If the defendant has an attorney and request an adjournment, they will adjourn it another time. Several years ago, actually had a trial for an illegal apartment, but the case dragged on for a year until it was actually a trial in front of Judge Mishk at

the time and the village was successful. But it took a while. It's not as easy as you would like it to be.

Trustee Pearson: I gave everybody an opens meeting. Hopefully, you can read it, how to go into executive session. I just think that's something you should look at, too. Someday, if we need to. Mr. Donovan, you can go into how we go into executive session and why. It's written here, but the legalities of it.

Manager Revella: Just a couple memo and procedures that we discussed sending out to the full board again, so they have it, the new people especially.

Trustee Pearson: I just gave them a copy of the open meetings law for the executive session part tonight. Just making sure that everybody signed, no matter whether you're an old trustee, new trustee, employee, that you sign your ethics. There are two forms to sign. Do we have an agenda for the joint board meeting, Mayor? Do we have anything on that agenda?

Mayor Ramos: We'll be talking in the next 24 hours.

Trustee Pearson: For an agenda. I just know that there are maybe some issues with the Planning Board of people showing up, not showing up for the Planning Board meeting. I just know that Zac called me last night to go babysit so he could come because he wouldn't miss the meeting. But he figured if he missed the meeting, there would be no meeting and he was right. That's been happening a lot. I just want to know what can be done about it. Your alternates aren't showing up. People aren't showing up for the meeting. I know they don't get paid to do that, but they've signed up for this job and it doesn't seem like it's getting done.

Manager Revella: If they don't resign, we have to wait until the terms expire.

Trustee Pearson: That's five years.

Manager Revella: That's correct. We've had some people we've requested they resign and they did. If we have to do that again, we will.

Trustee Pearson: I also sent an email about these bookcases. It's kind of I think I was disturbed a little bit because I know I sat here in the audience and I know that the mantle was talked about. I remember it going on that wall. I had suggested to go on that wall underneath the Bradley picture, because when you walk in, you would see it. But that didn't happen, which is fine. But now we want to get rid of bookcases that I mean, they were they were rehabbed, brought here for a purpose. Who's making these decisions to get rid of things and why are they empty and where did the stuff go that was in them?

Manager Revella: It wasn't ours. We're getting rid of one bookcase. The stuff in it was not ours.

Trustee Pearson: Why are we getting rid of it?

Manager Revella: There's no room for it.

Trustee Pearson: What do you mean there's no room?

Manager Revella: It's going out of this room. If it goes in the hallway, it's in the hallway, but it's not going to be in this room anymore. There's stuff behind it that's being covered right now.

Trustee Pearson: Why don't you move those and make a really pretty wall display somewhere and move the cabinet over?

Manager Revella: Or just move the case. It doesn't make sense there.

Trustee Pearson: Why?

Manager Revella: Because it doesn't fit. Look at the wall.

Trustee Pearson: I see the wall. All you have to do is take those things off the wall, shift it over and make a different display for what's there.

Manager Revella: See the beam there and also the thermostat behind it. It says there's not room for it there. There isn't.

Trustee Pearson: Who is making these decisions to just get rid of stuff that was here?

Manager Revella: We do not get rid of things without surplus them.

Trustee Pearson: My point is, is that I did bring up the point that Boy Scouts and Girl Scouts used to come before the board for every village project that they were going to do. I didn't remember seeing this Girl Scout until she wanted to put up that mantle. I didn't know anything about the pictures. Why we're moving things and I wasn't on the board at the time I sat out there. I've been to every meeting and I think that the reason why they come before the board is so that they can get their badges. That's part of the process to talk to people that they need to get things from. Don't get me wrong, I love Boy Scouts and Girl Scouts. They do great projects, but I think that it still needs to go back to coming before the board for issues that they want to do. Any Eagle Scout project, Girl Scout projects, and decide where things are going to go before all the sudden you say, well, we're going to empty the case. We're going to get rid of it. Who knew that was going to happen? I don't know. You knew that was going to happen.

Manager Revella: Mayor knew. The committee knew. She came before the board to get approval and the board approved it.

Trustee Pearson: Approved what?

Manager Revella: The whole project.

Trustee Pearson: Where is the plan for that project? Is there a plan or was she just talking about it?

Manager Revella: I think she gave it to us that meeting.

Mayor Ramos: She discussed whatever she was going to do.

Trustee Pearson: Usually they had a plan what they wanted to do. It was on paper so that you could see if there was plan. If there was things were going to move. That's how I feel about that. Thank you.

Deputy Mayor Carley: I did have a note about the Eagle Scout projects. I thought the follow up with, former mayor talked about should be a process that we look at. I don't remember ever looking at a formal follow up to a project. So, if it's not right or if it's not appropriate, I don't know. The board may not know. It's done. I don't know how you fix it. Or do you have them go do it or we

have to go do it. I think we need to do address that for process. I agree with Trustee Pearson and I think that should be a part of their process. I appreciate the notice, but let them stand right there and push their case. Then if we have questions, we ask them. I think we should go back to that. Look at that for Eagle Scouts. Boys and girls. I put this out before a while ago, but listening and everything and looking at the local laws, we need to review the ones that I feel that could possibly be outdated or we go through them, especially since we have a turnover of the board. We want to make sure everyone's fully aware as much as possible just to review and we can make those adjustments as we go along to make sure they're updated. I would like to see that put on the agenda if the board agrees to do that. Then we can all be up to date and make sure everything's up to date moving forward. Like this Planning Board attendance. I didn't know we had an issue with the Planning Board attendance. 5 years?

Manager Revella: That's the term.

Deputy Mayor Carley: I don't know if that's a federal law or a local law.

Attorney Donovan: State law. Five members or seven members and the appointments are not supposed to be political. It's a rotating board. If you want to remove a member, you need to have a public hearing and show good cause, you can't just remove a member.

Deputy Mayor Carley: If that's the case, then we have dialog about what can we do in between there? I hate to use the word censor or whatever the case is, I don't know the laws.

Attorney Donovan: The file cards are moving very slowly at this time of night. Recall this is a Village Manager form of government. The appointment of the members are not actually appointed by this board. They're appointed by the Village Manager. I need to do then figure out how they get removed. They may have to be removed by the Village Manager. I don't know the answer to that because we're in a unique situation since he is the appointing authority.

Deputy Mayor Carley: I really think that should be addressed, especially if they're not attentive like they're supposed to be.

Trustee Pearson: And catch up on their training.

Attorney Donovan: That's a reason not to reappoint them. It's not a reason to kick them out. It's a thankless job being on the Planning Board. Walden is not unique in members not coming to meetings, so it's been looked into whether or not for you to get your continuing education is grounds for removal. If not, it's grounds for not reappointment.

Mayor Ramos: I did attend the Honor Flight with my father in law and Mr. Bill Taylor was also a veteran that was being honored there. It's a phenomenal experience. Having been down in DC quite some time. But my father in law's Vietnam, 66 to 69 during the Tet Offensive also. It was quite touching to see all the veterans. We also had a 103 World War II veteran on our flight, which was amazing.

read events into minutes

Executive Session – Personal History of Particular Person, Attorney Client, CSEA

Trustee Maher made a motion to enter into executive session to discuss employment history of a particular person, attorney client regarding 5 Clinton St and Collective Bargaining negotiations. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Reconvene

Trustee Batson 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
April 18, 2023
Motions & Resolutions**

Public Hearing – 2023 -2024 Budget

Trustee Pearson made a motion to open public hearing 2023-2024 budget. Seconded by Trustee Garrison. All ayes. Motion carried.

Trustee Hall made a motion to close public hearing 2023-2024 Budget. Seconded by Trustee Maher. All ayes. Motion carried.

Orange County Transit

Trustee Garrison made a motion to grant a 3 month extension with subject to issuance of sewer waiver and remedy of light. Seconded by Trustee Maher. 6 ayes. 1 nay (Trustee Pearson). Motion carried.

Approval of March 28, 2023 Minutes, April 4, 2023 Regular Meeting Minutes

Trustee Batson made a motion to approve the March 28, 2023 minutes. Seconded by Trustee Pearson. 6 ayes. 1 abstention (Trustee Maher). Motion carried.

Trustee Pearson made a motion to approve the April 4, 2023 minutes. Seconded by Deputy Mayor Carley. 6 ayes. 1 abstention (Trustee Garrison). Motion carried

2023-2024 Budget

Trustee Garrison made a motion to adopt the 2023-2024 budget with the \$13,500 increase in fund balance to be applied toward senior refuse discount. Seconded by Trustee Maher. All ayes. Motion carried. (Trustee Pearson and Mayor Ramos abstained from senior discount).

Resolution – 30-22-23 – Budget Transfers

Trustee Batson made a motion to adopt Resolution 30-22-23 - Budget Transfers. Seconded by Trustee Maher. All ayes. Motion carried.

Resolution – 31-22-23 – Budget Transfers

Trustee Hall made a motion to adopt Resolution 31-22-23 - Budget Transfers. Seconded by Trustee Batson. All ayes. Motion carried.

Resolution – 32-22-23 – Budget Transfers

Deputy Mayor Carley made a motion to adopt Resolution 32-22-23 - Budget Transfers. Seconded by Trustee Garrison. All ayes. Motion carried.

CDBG Bid Award

Trustee Pearson made a motion to approve Arold Construction Company for CDBG Project. Seconded by Trustee Batson. All ayes. Motion carried.

Resolution 33-22-23

Trustee Garrison made a motion to adopt Resolution 33-22-23 - CDBG. Trustee Maher. All ayes. Motion carried.

Resolution 34-22-23

Trustee Hall made a motion to adopt Resolution 34-22-23 - Fair Housing. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Outdoor Café Request – Tres Leches Bakery

Trustee Pearson made a motion to approve the outdoor cafe request for Tres Leches Bakery. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Outdoor Café Request – Francos Pizza

Trustee Maher made a motion to approve the outdoor cafe request for Franco's Pizza. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Permit Fee Waiver Request – Boy Scout Eagle Project

Trustee Garrison made a motion to approve the building permit fee waiver request for Boy Scout Eagle Project. Seconded by Trustee Batson. 6 ayes. 1 abstention (Trustee Pearson). Motion carried.

Memorial Day Parade Request

Trustee Pearson made a motion to approve Memorial Day Parade request for May 29th. Seconded by Trustee Maher. 6 ayes. 1 abstention (Mayor Ramos). Motion carried.

Payment of Audited Bills

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

Executive Session – Personal History of Particular Person, Attorney Client, CSEA

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Reconvene

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