

**Village of Walden
Board of Trustees Regular Meeting
December 19, 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
		Kristie Hall
		Patricia Maher

Absent: Ralph Garrison Jr

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

Village Manager's Report

Manager Revella: Since last meeting, the new hires have been getting acclimated. Getting them trained up. We have another round of canvassing going on now for a couple of different positions, including the code enforcement position. We have interviews scheduled for just after the holiday. Went over some usage requests for the different parks with the Rec Coordinator, including adding more pickleball schedules. Went over winter prep with the DPW Super. Went over audit and payroll with the Village Treasurer. I was able to meet with Trustee Pearson. We went over the updates to short term rental, which is in your packets tonight, went over a few requests of water bills from residents. Capital project updates with the engineer. Christmas in the Square went well. FOILs with the Clerk. Had a meeting with the Building Inspector and a developer for 29 Grant St to look over plans and uses. Attended the Orange County Associated Towns and Villages holiday party. The Transportation Council meeting went over tip amendments and resolutions for the year. Discussed the water well repairs with DPW Super. Still there yesterday doing more repairs, finishing up Well 4. Went over recent police activity with the Chief and coverage. Went over bank reqs and adjustments with the Treasurer as well. Rec and Parks Department been running teen center, afterschool programs have been full. Indoor pickleball going well. Indoor soccer is going well. Basketball registration is going on now. Senior trip to the Paramount Theater went well. Christmas in the Square was very well attended. The Building Inspector issued 11 new permits. 1 CO, 7 violation notices. The part time inspector did 10 residential fire inspections for 30 apartments and 12 commercial ones and also sent out 8 follow up letters. Clerk's been updating Facebook, website, FOILs, handicap permits, processed the water sewer bills, work with the new staff on duties, preparing for the upcoming election, minutes and resident requests. The Finance Department working on updates to Edmunds, going over water sewer billing as well. Went over internal Audit report from 2022. Working on 2023. Payroll, bank reqs, resident concerns, accruals, health insurance rates for the coming year. Retirement. And went over the policy updates with special counsel, which will be here at the January 2nd meeting to review policy updates at that meeting with the Board. Public Works, maintaining vehicles, getting ready for winter. They're still pressing sludge at the plant until the weather doesn't allow it. Cleaning stations. The Water Department did 8

mark outs, replaced 8 meters, changed 24 endpoints and did 3 closings. They also assisted the contractor at Well 4 and 5 to make sure they're working and getting that done quickly. They did switch out the banners on the streets for the season. Once the weather breaks, they'll put the veteran banners back up. They have been working on a water leak on Wait Street and maintaining facilities, flushing and jetting. Police Department still trying to get some more applicants. We do have another part timer that signed their oath today. Working on patrols. 2 traffic tickets were issued, 2 parking summonses issued and they went to 4 mvas, 1 arrest and responded to 168 blotters since last meeting.

Trustee Pearson: 29 Grant Street, changed what they're going to be doing down there from what their original plan was?

Manager Revella: No. They didn't make any adjustments to the plan. They're just talking about ideas for what's going inside.

Trustee Pearson: Christmas in the Square was nice. I still have parents ask me why it's late when Santa comes at 8:00. Don't know if they could make it earlier. The Parks Department. Are we going to have ice skating this year? Can we get back to ice skating at the park at Wooster's Grove?

Manager Revella: If the temperature holds. We haven't had temperature in the last couple years.

Trustee Pearson: Do we still have that liner or did that get ruined?

Manager Revella: I don't know if we still have that liner.

Trustee Pearson: We wouldn't be able to do ice skating if we don't have the liner. How are we going to do it?

Manager Revella: The way we always did it. In the basketball court.

Trustee Pearson: But there was a liner on there.

Manager Revella: No. We just flooded it.

Trustee Pearson: Meeting with the engineer, I thought the project went out to bid and we accepted the bids. For Scout Cabin. Why is it the packet?

Manager Revella: It's just to go over specifics with the contractor.

Trustee Pearson: When you get increases in health insurance and things like that, insurances for the village. Do we look at other companies to compare prices?

Manager Revella: You don't have a choice. It's in the union contract. You can't just change insurance. It's got to be negotiated.

Trustee Pearson: We have to go with the same company or we can go with the same service and go with a different company.

Manager Revella: You can't without approval from the unions. Can't change anything. We have brought up different proposals before to them.

Trustee Pearson: Because we just kind of accept that there's a percentage raise and that's what we

have to go with and we can't look at other insurance companies to see if it has the same service.

Manager Revella: We have.

Trustee Pearson: Did we do it this time?

Manager Revella: They got rejected by the union.

Trustee Pearson: They tell you we're going to stay with this insurance company?

Manager Revella: Yes. It's hard to get one that's as good for the cost. It's a state insurance company.

Trustee Hall: I went to Christmas in the Square. It was very nice. I guess my only question is, have you heard an update from Orange County Transit at all? Have they touch base?

Manager Revella: No, nothing.

Trustee Hall: Weren't they supposed to at some point just say, hey? Something?

Trustee Pearson: The mayor asked every month.

Trustee Hall: Halfway through or something. I know they had a year.

Manager Revella: I asked, but I haven't heard from them.

Trustee Pearson: Do we have an update on Orange County Transit?

Manager Revella: Nothing. I haven't gotten anything from them and haven't heard back from them on anything. Do you want them to be here next meeting?

Trustee Hall: They can even just email an update or something.

Trustee Batson: There are lines both in the manager's report and the finance manager's report about the water and sewer billing and residential concerns. Is there anything of note there?

Manager Revella: we updated the billing statements. There were some changes. We requested a couple more updates to make it a little clearer for the residents that they were looking at it and it wasn't clear to the resident, the calculation. We asked for another update to that, so it would help clarify for the residents.

Trustee Batson: It's purely esthetic.

Manager Revella: There are other concerns that people had about their bills and how to pay for them, because some people got updated meters which updated their actual usage from estimates.

Trustee Batson: Is there an amount of meters that we still have outstanding that we need to replace?

Manager Revella: Yes.

Trustee Batson: Any rough idea number or timeline?

Manager Revella: About 900.

Trustee Batson: We are doing 6 or 8 a week.

Manager Revella: It just depends on when residents allow them to go in to do it.

Deputy Mayor Carley: Now that we have the new hires and everything, talk to Chief, get a report on overtime. Is it coming down?

Manager Revella: The mandates are going down. But overtime is not. Not yet. We had the other officer return yesterday from military leave, so that is helping out too.

Mayor Ramos: How are we are with hydrants? How many do we have down?

Manager Revella: I only know of 1 right now. The rest have been repaired.

Approval of December 5, 2023 Minutes

Deputy Mayor Carley made a motion to approve the December 5, 2023 minutes. Seconded by Trustee Batson. All ayes. Motion carried.

Public Comment

Mary Ellen Matise: I'm sorry I didn't get here early enough, but if you're talking about floodplains, if you go to the town website under the CAC, the natural resource inventory is there, and you should find maybe language in that about flood plains if you want a definition. You might also find the maps that the county did for them for the natural resource inventory, because they deal with flood plains, with conservation areas and all of that. Flood plain maps, the 100 year and the 200 year maps. Jay Beaumont had given them to me. The Town of Montgomery does have them. I don't think I gave any here. I think I gave them to the Planning Department down on Bracken Road with the most recent DEC updated floodplain maps for the 100 year and 200 year maps. This 35-37 North Montgomery Street. I had to call today to find out, well, what about it? We're back to this same old thing that you look at the agenda online and you really have no idea what the topic really is. I did finally get the information, but it would have been nice if it just gave some indication here what it was about.

Village Code – Review of 144.9-149

Mayor Ramos: Had a good discussion of 144-9. We ended with 149-14. We are going to take a pause on that. We're going to get the review from the beginning when we started with the code review so that we can look at it, see if there are any changes and we will continue.

Short Term Rentals

Manager Revella: You should see the update in your packet. We want to make sure everyone's okay with those updates so we can final form that and move on.

Trustee Hall: I think Becky did a great job on it.

Trustee Pearson: 305-84, there's 2 letter "J"s. Then 305-87 the fees, are you okay with the fees that are there for conviction? And do we need to talk about any other fees? Whether we should send this to the Planning Board for review. Do we want to talk about the fees? Letter b, its \$1,000. Are okay with that? Do you think it should be more?

Attorney Donovan: Those are 2 different things. There's a fee to register in 305-87. Then 305-88 is

penalties for offense.

Trustee Pearson: Yes, I know. Are we okay with all the fees?

Attorney Donovan: There is no fee for registration. That would be set if you adopt the law in your village schedule of fees.

Trustee Pearson: There are fees in the beginning.

Manager Revella: What are they? We talked about them.

Trustee Pearson: We did talk about them. They were, was it \$250 for the initial registration, then it was the first inspection was free and the additional inspections after that were \$50 each. What we had agreed on. So, that should be somewhere, I think.

Manager Revella: On the fee schedule.

Trustee Pearson: Do we want to come up with the fee schedule at the same time? Are you comfortable with that? I don't want to come back and do it again. We're talking about it now you might as well finish it and get it over with.

Manager Revella: I thought the board consensus was they were agreeable to the fees that we had presented.

Trustee Pearson: Then the other thing was send to the Planning Board for a review.

Attorney Donovan: This has been to the Planning Board and Orange County Dept of Planning. You've made some modifications. You could send it back. In my view, they're not of such a level that requires it. If you want to, you could.

Manager Revella: Just so the board's aware that, 305-88 you'll also change the second C to a D. Dave already caught that one.

Trustee Hall made a motion to schedule Public Hearing for January 16, 2024 at 6:30pm or soon thereafter for Intro Local Law 1 of 2024 Short Term Rentals. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Trustee Pearson: I would like to really confirm the enforcement and how that's going to really work. We're okay with that?

Building Inspector Wallner: Yes.

Zombie Poles

Attorney Donovan: We discussed it at the last meeting. Trustee Pearson had identified the Town of Wallkill code provision. It's actually very similar to the Village of Maybrook up thinking there must be model law someplace. But I did use the Town of Wallkill code as a template. I will say I spoke to the Village Attorney for Maybrook for Wallkill. Both advised me that they had not brought any enforcement proceedings. Actually, the utility companies that were involved, at least in those municipalities, were responsive when requested to remove zombie poles, double poles, poles not in use. As a first line, obviously that would be a recommendation. But they did indicate that they found that the law was somewhat effective or effective by saying if you don't remove the poles, you will be subject to this local law. I think I mentioned last time there was one utility company that had

pushed back. Actually, it was Village of South Blooming Grove that did this maybe 5 or 6 years ago. No litigation, but a push back by 5 page letter from their counsel. There is no case that I found that determines this one way or another. If it's something that you feel you want to regulate and get a law on the books and give Rob something else to do. This is the vehicle for so doing. You want time to look at it? That's great. If not, it would be moved to public hearing. This does not need to go to the Planning Board. You're under no timeline. You can move as quickly as you want or at your leisure if you want.

Mayor Ramos: What does plant mean?

Attorney Donovan: That is a term, because there's like a top plant and some things. And I'm not remembering it, John, but a fescue on top of this thing or something. It's a term of art. It's like an up plant, a top plant. It's some mechanical term.

Trustee Pearson: I understand the law could be helpful. I think because, I'm just looking at the new poles going up now and maybe how long they're going to stay here because they're doing Walnut Street. They've done Main Street. I don't know how many more they're going to be doing, maybe hundreds of them, I'm not sure. But they're trying to get them above the trees, which I'm happy about. But there isn't a way to make these polls come down now that we don't utilize. It's the Public Service Commission, utility service providers must complete a pole transfer within 30 days. And there is a whole complaint section that all you have to do is get the poll number and write a complaint and the Service Commission gets involved because it's against the law to leave those polls up. There is a service commission law about it, should we have one of these on our own? I think we should. I think it's a good thing because we have the backup if we need it. But the other way is just to and there's a whole complaint thing you can just fill out a complaint and send it in, you can email it in with it, and they help take care of that for you. They need the pole number and the address where it's located and call the Public Service Commission and file a complaint. That will help but somebody has to do that. Whether that's one of the departments, whether it's somebody in one of our departments. If that happens, there's like a twofold thing. We can have the law, which can help because they have to let you know they're putting up the poles. Did you know they're doing all this work already?

Manager Revella: Yes.

Trustee Pearson: You have to know that they're putting them up. With this Service Commission you have 30 days to get it down. This law that is in here says you have up to 90 days, depending on what type of pole, whether the damaged pole is one way and the other poll is another way, another time frame. I think it's good, but I think that it's a fall back on what we should be doing already. We should already be calling and complaining about the poles that are up. That shouldn't be up. Do you want me to talk about it or are we not going to address it? Does the board feel they want to move forward?

Deputy Mayor Carley: If you can email us whatever you found about the commission. I didn't know anything about that. It's always good to have another watchdog out there.

Trustee Pearson: Public Service Commission is all you have to Google. Comes up about the law for double poles. It's called double poles or something. It's not called zombie poles. I'll have John make a copy of this for you if you want this. On the first page of the law, Superintendent of Public Works, do we want to add the manager to that or not? That's a question. I don't know if you want to add a Building Inspector, Manager to the letter 132-4. I didn't know if we just want to leave it as the Superintendent of Public Works. If we were to do this now and they're putting up all these poles now, we approve this law after they start putting up the poles, what type of recourse do we have?

Attorney Donovan: You can you can enforce the law once this once it's adopted.

Trustee Pearson: Plus, we have the Public Service Commission to utilize as well. How do we get them to pay fines?

Deputy Mayor Carley: I'll review it. But it's good to know that there's a backup to what we have if we go to this route.

Trustee Batson: Have we engaged the utility company to see if they have a plan to remove these poles currently?

Manager Revella: Yes. Spectrum and Frontier have not responded. NYSEG removed the wires that they needed to. It's up to the other utility companies to continue and finish.

Trustee Batson: Historically, has this been a problem for us?

Manager Revella: Yes, absolutely.

Trustee Batson: The same company has been problematic on it.

Manager Revella: Absolutely.

Trustee Batson: Does your form cover all of the companies, these poles are multi utilities.

Trustee Pearson: Yes. That's your Public Service Commission. It's all the utilities. That's already in the works. John can go up the street and say this, this, this and this pole, call it in and let them deal with it. That's something we could do already. That can happen. This law would be something that maybe would be like a like a starting point, but also a fallback point if we needed it, if it didn't happen. But that can be happening already. The Public Service Commission part of it.

Trustee Batson: Feels like we probably need both.

Trustee Pearson: I would say both.

Trustee Batson: We also probably need to discuss who is responsible for entering that into plan a.

Mayor Ramos: I'm good with legislatively directing the services to remove the double poles.

Manager Revella: If you guys are good with the format, you would have it on the next agenda. I'm just not sure if you're okay with this current version.

Mayor Ramos: Trustee Pearson is going to give us what she has on the PSC.

Trustee Pearson: It's just really how to file a complaint, is what I have.

Mayor Ramos: Let's put it on the next agenda.

Trustee Pearson: John, will you be able to look up the Public Service Commission law for us and hand it to us? The law I took off of something else. I don't have a copy of it. Can you look that up for us?

Manager Revella: Which law do you want?

Trustee Pearson: The Public Service Commission about double poles. Also, I'll have you make copies of this and give to the board about how to do the complaint.

Parkland Fund Resolution

Deputy Mayor Carley made a motion to approve Resolution 12-23-24 Parkland Fund. Seconded by Trustee Batson. All ayes. Motion carried.

35-37 North Montgomery St

Manager Revella: I'm sure the board's aware of the condition of the facilities at 35-37 North Montgomery Street. It's been an eyesore for some time. The Building Department has been trying to get compliance there. They're here today to request a hearing on the matter.

Building Inspector Stickles: We're here tonight to request that a hearing be scheduled under the unsafe buildings code for 35-37 North Montgomery Street at their earliest convenience at the January meeting next year. The property is currently owned by a man by the name of Andrea Vincenzo, purchased in 2022. The property has been cited the beginning of this year and also it was taken in front of the Justice Court. But since it's an unsafe building matter. It can't be heard in front of the village court, it has to be in front of the Village Board. That's why I'm here for you to schedule a hearing. There was a permit issued in November 7th for the clean out of the property, but there has been no permits issued since then or no one applied for. The Village Engineer has been there. He's evaluated the structure and is preparing a report for us. It should be done soon and we'll share it with the Village Board when we come here. The Building Department feels that the current conditions of the building serves as a hazard to the surrounding property owners and this is the reason we're asking to schedule a hearing, not a public hearing, but a hearing, to have the owner come in and explain why he can no longer or can't fix this building. That's what we're asking tonight. A hearing be scheduled sometime in January. I gave you some pictures to see the conditions as of the 13th of this month.

Trustee Pearson: How long has it been empty?

Building Inspector Stickles: It's been empty probably for 8 years. It was a 4 family. It's no longer that, it's a 1 family.

Trustee Pearson: 2022, he bought it in that condition?

Building Inspector Stickles: Yes.

Trustee Pearson: Do you know how much you paid for it?

Building Inspector Stickles: No, I do not.

Trustee Pearson: He had the permit to clean it out.

Building Inspector Stickles: Clean it out. Nothing can be done in this house until we get a structural evaluation. I don't believe that the structure can support this house as it sits now. It's been out in the weather too long.

Trustee Pearson: How long's that backside been off?

Building Inspector Stickles: A year.

Trustee Batson: Who engages architectural firm or engineer for a structural plan? The owner or us?

Building Inspector Stickles: The owner.

Trustee Batson: The request would be to have a hearing to understand what their plans are or to ask them to engage for a structural survey to validate.

Building Inspector Stickles: Hearing is to have the owner come in front of the board and explain his procedure of what he's going to do with this building and whether he's going to remodel it, whether he's going to remove it, how he's going to do it.

Attorney Donovan: Dean, is it okay? Because when I first started coming here many years ago, this was a fairly common occurrence. You'd have these hearings where the property owner would be summoned, they were given a hearing notice that I prepare and then they say how they're going to remedy the violation. Sometimes it was or frequently it would be debris. People would have debris in the yard and either they would clean it up so the hearing would be canceled or they would say, well, clean it up by next Tuesday, the board would give them to Tuesday and if not, ordered it to be remedied and then they would charge that money back to the property owner, ultimately on the on the tax. This is obviously much more significant.

Building Inspector Stickles: We had one in the past.

Attorney Donovan: 2013, 14, 15, 16. We'd have 3 or 4 at a time. You got to figure out how much time you want to give them. I wouldn't just to Trustee Batson's questions he was raising, I would be concerned if you authorized somebody to do structural work there. I would support if nothing was done, the board saying we need cleaned up, but we need it buttoned up, if you will, secure it so people can't get it in or out. But I don't know that we want to hire a contractor to go in there to fix it.

Building Inspector Stickles: What we have requested and up until this point, the owner has to give us a structural analysis of this building, whether it can even support being remodeled. Which has not come forward.

Attorney Donovan: Which would be a different process to tear it down. All I'm suggesting is that as opposed to authorizing the structural work, is that if there's not a satisfactory plan, we give it a certain period of time to, for lack of a better phrase, button up the property, if not the village going to do it and charge it back to them. It needs to be rendered safe. It needs to be rendered not an eyesore for the neighbors.

Building Inspector Stickles: I'm not sure, but I believe we can with the Village Engineers assistance, if we tell the Village Board that this building is unsafe and structurally unsound, I believe the board can order it removed.

Attorney Donovan: I have to check that process. I just need to make sure we're driving down the right road here.

Building Inspector Stickles: We're not to that point yet. I just want to be able to have a hearing and let the owner explain to the board why this building cannot be fixed or made safe.

Trustee Batson: I just want to be clear that is the issue, made safe.

Building Inspector Stickles: Made safe. As you can see with the pictures and what the back looks like, right now, I'm not an engineer by any means, but I don't believe it's safe.

Deputy Mayor Carley: This kind of question came up, not so much exactly, but we talk about imminent danger or things of that nature today. One of the things that I'm looking at is the backside of the building. I've only seen the front driving by, but looking at the back, now we go back to definitions, is this considered unsafe or not for the public. Someone could argue, no one's supposed to be on our property, but we know how kids are. Social norms, things can happen. People can go somewhere. To me, it looks very unsafe, in my opinion. I'm not an engineer. Weather, storms and all that stuff. You can literally see a floor through the back wall. To me, that's considered unsafe. I don't know how you define imminent. If it is according to our law, we could demolish and remove or may cause work to be done in and about the building on the structure. That's based on the Village Manager or the board.

Building Inspector Stickles: But I believe that the owner has the right to come and plead his case first.

Deputy Mayor Carley: I guess I argue with believe whether it's the law. If it says the owner first has to come and do that, I'm good with that. But if it's subjective, we can lean either way, I'm just arguing both sides.

Building Inspector Stickles: I'm not a words person. I'm just bringing a building that I feel is unsafe to the Village Board to have a hearing.

Deputy Mayor Carley: Now I say if you feel it's unsafe, it should go beyond just let's talk about it, do something about it, and then have a hearing about it.

Manager Revella: We did do that when we boarded it up.

Deputy Mayor Carley: I don't see the back boarded unless these are old pictures.

Building Inspector Stickles: The only thing in the back that's been boarded up is the basement entrance. Nothing else has been boarded up.

Deputy Mayor Carley: I'm saying that I see it to be unsafe.

Building Inspector Stickles: I'm trying to follow what 109 says.

Deputy Mayor Carley: I guess it goes back to if we considered unsafe, let's do something about it and then we can hear whatever the resident owner or whomever wants to say. Then we show some enforcement, some teeth behind it and charge whatever we have to charge, because in my opinion, I know I'm only 1 of 7. But if it's considered unsafe in my eyes, I can clearly see into the house on 3 floors or whatever it is, that's unsafe. Personally, I wouldn't want that in my backyard or next to my house or anything like that, especially having kids around. Now it's on the board, I'm not a fan of making motions, but this would be level to the point where I say make a motion that we do something about it now and then talk to the homeowner and they can tell us whatever they going to do. It doesn't matter. We want this done immediately.

Attorney Donovan: The process outlined in our law is that he's entitled to a hearing.

Trustee Hall: Can I make a motion to have a hearing?

Trustee Pearson: I'll second.

Mayor Ramos: I haven't spoken yet.

Deputy Mayor Carley: If he's entitled to a hearing, does that mean that he has to have a hearing first?

Attorney Donovan: If he's entitled to one, yes. Unless we have a structural engineer certified, like if we had a building in downtown Walden and a structural engineer certified, even if he certified, Willie, it's very difficult to tear it down the next day.

Deputy Mayor Carley: I'm not saying tear it down. I'm talking about board it up to make it safe for our community.

Attorney Donovan: The law gives the property owner a due process right. He'll get a notice of hearing. If he doesn't come in 2 weeks. Then there's recourse that we have. If he has a plan that the board's interested in, then that's another story. Otherwise, my advice is that you give him his due process right to schedule a hearing for 2 weeks.

Deputy Mayor Carley: I yield to that. Respectfully. I never saw the back of that. I've only seen the back. I've only seen the front and now looking at the back. That's just crazy. That's just a whole other level.

Trustee Batson: In my corporate world, there's this concept of on notice that once you have heard of something, you're sort of responsible for it. Are we, in essence, on notice in any way liable for the condition of this building right now?

Attorney Donovan: No. We're going through the process appropriately. We wouldn't have any responsibility. For the most part, we don't have unless we're grossly negligent.

Mayor Ramos: Obviously, the permit was issued. Is it expired yet?

Building Inspector Stickle: I'm not sure whether it was actually all cleaned out or not. But that can be found out. It was only issued for the clean out. Not issued for any other thing.

Mayor Ramos: I'm looking at the color pictures. Not only is this structurally unsafe, but look at all the black. The mold and mildew. I could see it and look at the two houses that are right next door. I know this house has kids. I know that house has kids. Not only is it structurally unsafe, but it's environmentally hazardous right now.

Building Inspector Stickle: As I stated before, I'm not a structural engineer and not a health engineer.

Mayor Ramos: You can see black.

Building Inspector Stickle: I can see a lot, but there's that's 800 different types of mold.

Mayor Ramos: It's a mold that I wouldn't want to be breathing in. I wouldn't want the kids to the left and right to be breathing in.

Trustee Pearson made a motion to set Hearing for 35-37 North Montgomery St for Unsafe Building on January 2, 2024 at 6:30pm or soon thereafter. Seconded by Trustee Hall. All ayes. Motion

carried.

Resolution 11-23-24 – Budget Transfers

Trustee Pearson made a motion to approve Resolution 11-23-24 Budget Transfers. Seconded by Trustee Maher. All ayes. Motion carried.

Resolution Charging Station

Manager Revella: The Community Development Grant Fund we had a grant for \$22,426. The total cost of the project engineering NYSEG and the electrician up to \$45,000. The request is to transfer \$45,000 from Community Development \$22,426 will be reimbursed from the grant.

Mayor Ramos: Is there anything else that we need to do to make this work?

Manager Revella: That's the last thing we need for the charging station to become operational.

Mayor Ramos: Are we going to use paint for the parking spaces?

Manager Revella: We ordered the signs already. We can't paint until spring.

Trustee Batson: Can you just give me a general state of where we are with the fund balance?

Manager Revella: We have more than what we have designated in our code as an allowable fund balance. We're over.

Trustee Maher: There's so many grants out there for this type of thing. Is this something that we can apply for another grant for and then retro pay back into the fund balance?

Manager Revella: We got the grant for this purpose. I don't think they'll give us a second one for the same purpose.

Trustee Maher: That particular agency won't. But there's other grants we can get.

Manager Revella: This is the only grant that they had applicable to this project that I'm aware of. If there's other ones that will retroactively pay back, I'm not aware of. If you know of any, let us know. We'll apply it.

Trustee Pearson: You'll be charging people to use that? Is that set up?

Manager Revella: That's correct. It's not set up yet because we have to get those funds in place so we can pay the contractor. And that will be through credit card or app, we haven't set that up yet as the unit isn't active.

Trustee Pearson: Who sets the fee for the price? Is it through the gas company?

Manager Revella: We'll have to see what our charges are and the board will have to set that fee. You haven't said that yet because we don't know the charge.

Trustee Pearson: What do we have to do yet? Is there something on the charging station itself that we have to do something?

Manager Revella: Correct. Once we have the funds in place, the contractor will meet us there to walk us through how that charging takes place and will have get a credit card machine or some

adapter there for that.

Trustee Pearson: And that money comes to here to us.

Manager Revella: Yes. We link to our account.

Trustee Pearson: Is there a charge for that? Is there something we get paid for that credit card thing that connects to that?

Manager Revella: Yeah.

Trustee Pearson: This money that you're asking for now is going to cover all of that or is that going to be another thing later?

Manager Revella: We hope it'll be enough to cover. That's the full budget.

Trustee Pearson: The \$45,000 is the full budget, including the credit card things.

Manager Revella: We believe so. The installation is already done right now.

Trustee Pearson: What's that time frame looking like?

Manager Revella: I need the funds in order to tell the contractor we have the funds available so that they can wind that up.

Trustee Pearson: Do you have a time frame once he gets the money, how long it's going to take?

Manager Revella: No, I don't, that is up to NYSEG.

Trustee Hall made a motion to approve Resolution 13-23-24 Budget Transfer. Seconded by Trustee Pearson. All ayes. Motion carried.

HVAC for PD

Manager Revella: We finally got a third quote, which was a no quote, which we figured. We have a quote from Perfect Temperature, a quote from Advanced Comfort Technologies and a no quote from Jones Services Heating and Air Conditioning. There's 2 different ones. There's one for the three offices. The bid from Perfect Temperature, \$15,985. The bid from ACT \$16,793. Then there's a bid from Perfect Temperature for the additional rooms, which is the interrogation room, locker rooms and storage rooms for \$14,075. \$15,140 from ACT. \$30,060 for Perfect Temperature, total. The other one, ACT is \$31,933.

Trustee Pearson: Have you used either one before?

Manager Revella: We have used and do use both of them now.

Trustee Pearson: They're fine for both of them. This we don't have to take the lowest bid?

Attorney Donovan: Unless you have a reason. You need to have a reason. We do have what's called the best value. We do have a local law that authorizes that. But you should articulate a reason. If you don't take the lowest.

Trustee Hall: It doesn't look like one of them put in the brand and the other one did. I don't know if

that makes a big difference. I don't know what the one is using. Kind of hard to compare it if you don't know. One of them that you're using downstairs now that did the rest of it.

Manager Revella: Correct.

Trustee Pearson: What are we doing to fix the whole problem, because isn't it more so the heat and the furnace and all that other stuff. Is this putting a Band-Aid on something for the time being?

Manager Revella: It's just replacing units we already have that are defunct.

Trustee Pearson: Is there an issue with the furnace itself and how it's working and how it heats up things and doesn't heat up other things? Is that something we should be looking at instead of this and fixing that?

Manager Revella: This is ac as well. The furnace doesn't have anything to do with that. But yes, we have to look at the furnace as well.

Trustee Pearson: Not that I don't want it fixed. I think they should have the ac. We've been talking about it for a year now. I'm just saying, are we just putting that Band-Aid on there and it's still going to be 100 degrees and then you turn on the air conditioning to get the heat down. Is that what we're doing?

Manager Revella: In certain rooms, it's possible. Not all the rooms.

Deputy Mayor Carley: We already have a company that's part of this bid here that's already working versus two companies having to come in if there's an issue, having to call a different one.

Manager Revella: That could be a consideration in this building, we really only have ACT working in this building right now. Both have done work in this building and both have done work in other buildings as well.

Trustee Hall: Do either one of them have a certain timeframe?

Manager Revella: I think that either one would have it done within the same amount of time.

Trustee Pearson: Can't we say we want it done by a certain time?

Manager Revella: Not if the units don't get here in that time. I mean we had one come before, the unit was delivered damaged and they had to wait for the updated unit to come because it came damaged. That happens.

Trustee Pearson: But we say we'd like it done within the next 4 months or something.

Manager Revella: That's a long time. We want a time as soon as possible.

Mayor Ramos: Report back to us on his timeframe.

Manager Revella: They don't know until they order. They won't order until it's approved.

Trustee Pearson: Kristie's question was very good. Do you know anything about that?

Manager Revella: I know that they have to use a comparable unit. I'm not sure which are the

Cadillac units and which ones aren't. They have to be have the same power.

Trustee Hall: Within the same range.

Manager Revella: They have to cover the same square footage. Same warranty.

Trustee Maher made a motion to approve the bid for HVAC from Perfect Temperature in the amount of \$30,060. Seconded by Trustee Hall. All ayes. Motion carried.

Public Comment

Mary Ellen Matise: The good news is and the fun news is that the Pomeroy Foundation did award the Historical Society a new marker. They will dedicate it next year and it's in their transportation program, and it's going to be for the trolley. Get your saw blade running and get those other pieces cut up so we can have a ceremony and your display next year. I think you were going to do a display for this room or somewhere. So, that could all coincide.

Mayor Ramos: Mine is going to be a display for this room.

Mary Ellen Matise: That could all coincide next year when we put in the marker. It'll be on the boulevard. Pretty exciting. Pomeroy is really good to us. They've given us plenty of markers. At the risk of sounding stupid, because people told me it would sound stupid if I brought this up, but we license taxis. We have expectations about how the garbage company should drive in this village because we've caught them driving backwards down the street, backing up whole lengths of street, and we've reported them to their company. We have an issue about the coach bus going up Scofield Street because it's overweight and trucks that are overweight not going on certain streets. These delivery vans. Isn't there anything that we can do about these delivery vans, especially narrow streets? I wound up calling the PD the other day because not only, first the van blocked the road because pulled up next to another car there so you couldn't go around. This person blocked the traffic, then gets back in the van, pulls up a little bit and decides to do a U-turn, backing into somebody's personal driveway. And in the village, there's no need for them to pull into somebody's driveway because they stop on the street. I'm going to leave it with you. I don't know what we can do about it. I don't know if they can be licensed or if the companies that are making the deliveries could be notified with a code. Because we're so short staffed in the PD, how they're going to run out and find this person? You can't. It's just like the pooper scooper law. You got to catch them in the act. These companies should know that we have expectations. I don't know what you want to do about it, but it's really annoying.

Payment of Audited Bills

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

Miscellaneous Comments from the Board of Trustees

Trustee Pearson: We got an email from Andrew Millsbaugh today. Everybody got it. I didn't know if it is worthy of a discussion or not, but John did you write back to them?

Manager Revella: I did.

Trustee Pearson: I think what he's asking, what I'm reading, I just saw it just now. They're talking about possibly making the scope smaller of the project. Is that what they're saying?

Manager Revella: The scope that he discussed is the scope that we're doing right now for this stage of the project. Parking, sidewalks, boardwalk and the rip wrap.

Trustee Pearson: I spoke to you the other day and you talked about we don't have the funding or may never have the funding for the dock into the water.

Manager Revella: No, not the dock. The boat launch. The docks are separate. There'll be docks upstream. Where you drive the boat into the water is right now stone. To make that into cement, they told us is a big cost. That's probably last on the list of priorities.

Trustee Pearson: Comptroller still going on?

Manager Revella: Yes.

Trustee Pearson: Anything new?

Manager Revella: Nothing new that we got from them.

Trustee Pearson: We have our RBT as done. Will we get a report soon?

Manager Revella: They only did the draft for 2022. They're starting 2023. Once they finalize 2022, we'll give you a copy.

Trustee Pearson: Are we going to executive session tonight?

Attorney Donovan: I don't have anything. I can say to the board we discussed a couple of items of litigation about a month ago. I don't have anything new on those. I don't expect to have anything new until the second meeting in January, when I do expect to have something new. But nothing's transpired. Nothing's going to happen in the next two weeks. Status quo and I'll report at the second January meeting.

Trustee Hall: I did want to say thank you to Operation Dalmatian. I saw they did quite a good job this year. Got to a lot of families and the fire department. Out with Santa on Sunday. I don't know if you heard them.

Trustee Batson: Can we go back to the Millspaugh Park? Not the comments today, but all the way from our previous meeting when we were discussing the dock. I don't know that if we gave it justice, at least from a dialog standpoint, as to why that dock was removed and why it's not being brought back as expeditiously. I had heard that the reason that it was removed and the reason is not brought back was because that's an active construction zone and we want to deter people from being in an active construction zone because it's a matter of risk and safety. I don't know that we articulated that well, especially to the public, as to why that dock was moved and potentially why it was not brought back again. I don't know if everything I've said there is the complete story, but that is my current understanding of it. I just want to validate that because it slightly puts the scope of our ability to bring this dock back into perspective because it probably should not be brought back while it's still an active construction zone. Is that correct?

Mayor Ramos: Yes.

Trustee Pearson: It wasn't a construction zone for a long time. They started construction, what, four months ago? But it had not been a construction zone for a long time. The family's been talking about that not just for this past four months. Have been talking about it for four years. This is not a new issue. This is an old issue. That's what the family I think is frustrated about, is that the time frame has been taking and the grandmother just had a birthday on Sunday at 95 and she's hoping to

see it to its fruition. I think the frustration is that they paid for that dock to be put there for people who want to fish or go in kayaks for the time being. I understand when it's a construction zone, but it hasn't been a construction zone for a long time. I think trying to get it back there, if the construction starts in the spring, great, everybody will be happy and they probably would understand it not being in there. But if it's not going to start and the construction doesn't happen, then my idea would be put it back on the water so people can utilize it. Construction starts you can take it back out again.

Trustee Hall: Is this something that we can maybe come spring, sit with the family and maybe Parks or whoever and figure out what can be done to make both sides happy? What's going to happen with construction? Maybe come to some happy medium somewhere?

Manager Revella: Once they get the bids back for the second part of construction and we have a realistic contractor with a realistic time frame, I think that will help.

Trustee Batson: I want to strongly advocate for it, but I don't want to strongly advocate for it if there's a safety concern for being constructions or enticing people to take advantage of while that area is unsafe or under construction. Just knowing that kind of put the thought process around what decision should be made into a different perspective.

read events into minutes

Mayor Ramos: I believe Village of Walden had a phenomenal Christmas in the Square. I believe we had over 700 people attend. Great job by the Parks and Rec, Superintendent of DPW. A special thanks to Dr. Nogrady and his family for donating the tree and of course, Mr. Warrington for his ceaseless donation of his time with his crane putting up the tree. Some great people that do that. Our Walden Fire Department escorting Santa coming into the Village of Walden. That was awesome. Walden Community Council for taking photos of all the kids. That was amazing. December 2nd, the seniors took their senior holiday senior trip to the Paramount in Middletown. Jimmy Sturr and his holiday band, along with the Drifters. Everybody had a phenomenal time. The seniors this past Thursday had the senior luncheon at 88 Charles Street. We also had a phenomenal time there.

Adjourn

Trustee Hall made a motion to adjourn. Seconded by Trustee Maher. All ayes. Motion carried.

**Village of Walden Board of Trustees
Regular Meeting
December 19, 2023
Motions & Resolutions**

Approval of December 5, 2023 Minutes

Deputy Mayor Carley made a motion to approve the December 5, 2023 minutes. Seconded by Trustee Batson. All ayes. Motion carried.

Short Term Rentals

Trustee Hall made a motion to schedule Public Hearing for January 16, 2024 at 6:30pm or soon thereafter for Intro Local Law 1 of 2024 Short Term Rentals. Seconded by Deputy Mayor Carley. All ayes. Motion carried.

Parkland Fund Resolution

Deputy Mayor Carley made a motion to approve Resolution 12-23-24 Parkland Fund. Seconded by Trustee Batson. All ayes. Motion carried.

35-37 North Montgomery St

Trustee Pearson made a motion to set Hearing for 35-37 North Montgomery St for Unsafe Building on January 2, 2024 at 6:30pm or soon thereafter. Seconded by Trustee Hall. All ayes. Motion carried.

Resolution 11-23-24 – Budget Transfers

Trustee Pearson made a motion to approve Resolution 11-23-24 Budget Transfers. Seconded by Trustee Maher. All ayes. Motion carried.

Resolution Charging Station

Trustee Hall made a motion to approve Resolution 13-23-24 Budget Transfer. Seconded by Trustee Pearson. All ayes. Motion carried.

HVAC for PD

Trustee Maher made a motion to approve the bid for HVAC from Perfect Temperature in the amount of \$30,060. Seconded by Trustee Hall. All ayes. Motion carried.

Payment of Audited Bills

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

Adjourn

Trustee Hall made a motion to adjourn. Seconded by Trustee Maher. All ayes. Motion carried.