

**Village of Walden
Board of Trustees Regular Meeting
October 15, 2019**

Mayor Rumbold called the regular meeting of the Village of Walden Board of Trustees to order at 6:30pm.

On roll call the following were:

Present:	Mayor	Sue Rumbold
	Trustees	Faith Moore John Ramos Larry Kraus Brian Sebring Dan Svarczkopf Lynn E. Thompson

Absent:

Also Present:	John Revella, Village Manager Marisa Kraus, Village Clerk Kelly A. Kelly, Village Treasurer Dave Donovan, Village Attorney
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Public Hearing – Introductory Local Law #8 of 2019 – Sign Regulations

Deputy Mayor Moore made a motion to open Public Hearing Introductory Local Law 8 of 2019 – Sign Regulations. Seconded by Trustee Thompson. All ayes. Motion carried.

Mary Ellen Matise: 54 Gladstone Ave. I am in favor of sign regulation law. Especially at McKinley. Makes it tawdry.

Trustee Ramos made a motion to close Public Hearing Introductory Local Law 8 of 2019 – Sign Regulations. Seconded by Trustee Sebring. All ayes. Motion carried.

Village Manager’s Report

- There's activity on Ulster Avenue. Progressing with drainage. Moving on to the walls and additional drainage.
- Did have a couple conversations with special counsel about current negotiations, personnel matters.
- We also have attorney/client due to pending litigation. Will talk about that later.
- Had a wonderful Comp Plan meeting. Some recommendations being sent to the Village Board to review. Final draft is also on the website and in the office.
- Followed up with the Clerk on some Worker's Comp matters.
- Went over some things with the auditors and Treasurer. Things are progressing well so far. They're not done yet.

- We do have an arbitration coming up concerning a DPW personal matter with the union. Board is aware of the circumstances but can't talk about it at this time.
- Went over Harvest Fest wrap up with the Rec Coordinator and talked about soccer program.
- Reviewed grant applications with the Village Engineer. Have an additional one in already for River Front Park. Aside from the grant we got from Senator Larkin.
- Went over a couple issues with DPW. Had some sewer main problems on Main Street and the hydrant flushing have been ongoing.
- Waiting for an update from DOT on when the actual railroad crossing update will take place and the drainage collapse on East Main St. But they do anticipate that happening soon.

Trustee Thompson: Could you just give us a brief synopsis about what was presented at Terrorism Program?

Manager Revella: Not giving too many details about how we protect ourselves, they really just wanted to talk about ransomware and making sure that we had backup, digital and hard copy backups because people are getting their data ransomed. If you have hard copy backup, they really don't have a lot of pull because you have copies. They're just looking to make sure we have redundancy and passwords for different scenarios to make sure we're covered in those areas. Also, email hacking. False emails coming from your actual email. Something that happens often. There is also something to be mindful of. If you see an email and it doesn't look quite right, it probably isn't.

Trustee Thompson: A big focus on cyber security.

Manager Revella: Yes.

Trustee Svarczkopf: Don't we have insurance against that?

Manager Revella: We do. It's umbrella coverage. They talked about insurance for many different platforms. We do have the coverage that we need for ours. They give examples of people like Atlanta, Georgia, they pay almost a million dollars, but their data security breach that they had, is costing them almost 20 million already. It's a cost benefit analysis.

Trustee Svarczkopf: The school district, if all employees go through a certain amount of training, there is a significant decrease in the amount that they have to pay. Have we looked into that at all?

Manager Revella: There are only a few people that have certain access to our data. They don't really give us an issue with it or give us a discount because there are 6 people that have access. There are only 2 of us that have full access and we're bonded. We get a good rebate because we're bonded.

Approval of October 1, 2019 Minutes

Trustee Ramos made a motion to approve the October 1, 2019 Minutes. Seconded by Deputy Mayor Moore. All ayes. Motion carried.

Trustee's Committee Reports

Village Offices Liaison – Trustee Svarczkopf

Trustee Svarczkopf: The audit is going on. Finishing up on the open questions on that.

Town of Montgomery & Library Board Liaison – Trustee Kraus

Trustee Kraus: Ginny said it's been quiet in the library. When she had the session with the Astronomer, he brought 2 large telescopes and they were able to see Jupiter, Saturn, the moons. Had a lot of discussion about that. About 20 people showed up. Pretty good turnout. I was impressed

Planning and Zoning Boards as well as the Building Department Liaison – Trustee Thompson

Trustee Thompson: Dean's report is very detailed and it's all of the packets. Fire and safety inspections are moving right along. He's still having some issues, because we don't have a Code Enforcement Officer. We really do need to figure out what we're going to do with that. It's becoming problematic. We brought it up at a previous meeting that maybe it's time to consider a full time person because we just don't seem to be having someone with that level of commitment for the part time hours. We've talked about the Edwards computer software for his department. Darlene Ciardullo wanted to thank everyone. She loves her new chair. Town of Montgomery, nothing really new. They're working on their budget. Brian and I will hopefully be at their next meeting on Thursday evening. They are aware that we're moving ahead with the petition to repair the Hill Street Bridge, which we're getting a lot of signatures. Anybody who would like to sign, please see Brian or myself.

Deputy Mayor Moore: I'd like to see some budget transfers for Edmund's program with the Building Dept. Could we see them at the next meeting?

Manager Revella: I don't know if we have to do that or not based on our funds right now.

Deputy Mayor Moore: I'd like to make that happen, I feel like it's been going on long enough.

Manager Revella: We're trying to get the final numbers from Edmunds.

Police Department and Justice Department Liaison – Deputy Mayor Moore

Deputy Mayor Moore: I reviewed the fuel usage, secondary employment, Harvest Fest. We did receive Stop DWI reimbursement for \$1,730.36. 2 officers recently attended active shooter training. Officer Rio will be doing Halloween Safety at Walden Elementary. The Walden PBA will be participating in our Trunk or Treat. Night firing range will be happening in November.

Recreation & Parks Department and Valley Central School Board Liaison – Trustee Ramos

Trustee Ramos: Mr. Bliss and I discussed adding footage of all the parks. Should have it posted on each of the sites, as long as the Mayor and Manager agrees. The current feed is Olley Park and it's beautiful. Looking forward to the rest of the parks. The school board is meeting today. I'll get more information out as soon as I get it.

DPW Liaison– Trustee Sebring

Trustee Sebring: DPW has been doing sweeping within the Village. Repairing curbs from water digs. The guys are working around the DPW. They've been street patching. The water department installed nine meters. They've done sewer inspections. They've repaired curb stops on Ulster Ave while they've been working on the sidewalk replacement. The mechanic's been busy checking over the plows and sanders and doing repairs. Town of Montgomery, on October 3rd, there was a public hearing on the Town's Solar Law. Pull up panels on farmland are class 1. The Prime AG district is a class 2. Wetlands, they worried for owners just to see that they don't get messed over by investors wanting to put solar panels on the property. There's a date for the Blue Line Public Hearing of October 22nd. November 7th, there is a Public Hearing regarding special districts, all the special

districts. The Eagle Scouts are going to do a project over at the Town. There was a motion for them to have Delaware Engineering report their implements of flow management. Over the summer they camera'd sewer lines and they found one place that was really bad. Then they fixed that. They fixed ninety five percent of the flow of the I and I. Then there's a lot of pipe that's old concrete pipe and some asbestos pipe. They're going to be doing more in-depth studies. Passed and signed to have Delaware Engineering plan to go forward. The RFP for the Town Planner, they didn't pick a planner yet because they want Delaware Engineering to work with the planner on the Comp Plan because of certain issues with the water and the sewer and all that stuff. They had a motion to accept a standard work day

Mayor Rumbold read the community events into the minutes.

Public Comment on Business of the Board

None

Action Items

Public Hearing Local Law 8 of 2019 – Sign Regulations

Deputy Mayor Moore made a motion Negative Declaration. Seconded by Trustee Ramos. All ayes. Motion carried.

Deputy Mayor Moore made a motion to adopt Local Law 8 of 2019 – Sign Regulations. Seconded by Trustee Ramos. All ayes. Motion carried.

Discussion – Amthor Annexation

Manager Revella: Had a meeting with the Committee and the applicant as well as our attorney. Went through the proposed zoning agreement.

Attorney Donovan: At the last meeting, the Board appointed a committee consisting of Trustee Thompson, Trustee Ramos, Trustee Sebring, Village Manager and myself. We met just the committee to go over certain things in advance of the meeting with the applicant and the applicant's attorneys. We discussed some things that are important to the Village. Most of which centered around to make sure that the property is tied in with water and sewer. Discussed the potential timeframe for that. We discuss potential penalties if the time frame is not complied with. It would appear that the environmental issues have been resolved. But the Village would like some sort of representation for decertification that the Village is not going to be responsible. I hesitate to go to more than that because it's going to be reduced to writing. The Village Board members need to review that, but we're looking to have it in time for you to take action at the November meeting.

Mayor Rumbold: How long prior to the meeting will we have that?

Attorney Donovan: As well in advanced as possible. It needs to be adopted by the Town of Montgomery. The findings of the annexation. Agreement for zoning that was approved by us and the applicant. The findings need to be adopted by this board and the Town of Montgomery board should be the same findings. We've asked the applicant to put that together. I think we will follow up with them and indicate as far in advance of the meeting is our preference.

Mayor Rumbold: November 19th is our next meeting. Let the applicant know. My feeling is, if it's not here at least a week before, so we can review it, it won't be on the agenda and will just be passed until the next agenda.

Discussion – Parking on West Main St.

Manager Revella: There seems to be some issues with turn radius coming out of the square, making a left onto West Main St. The request is to try to eliminate just the first space on the turn, to make room for the turn radius. In addition, we had removed the loading zone not too far down the road, creating two more parking spaces. There's still plenty of space on the road.

Trustee Svarczkopf: Does it need a local law?

Attorney Donovan: It depends. If we're going to designate that area as no parking, the answer is yes. If you're just going to remove the space, I would suggest you designate no parking otherwise.

Mayor Rumbold: Right, just because the lines aren't there, doesn't mean somebody isn't going to park there.

Discussion – Potential Local Law for Water Meters

Manager Revella: We have discussed this in the past when we first implemented the new meter program that we tried to find a way to make sure people comply. Goshen has done this Local Law to try and create some push to people to incentivize them to get it done. The last time the Village did this was 2003-2004, we had issues with over a hundred homes that never got them updated at that time. Now we're on a whole new set. We still have a lot more to do. People aren't really being forthcoming in making appointments to get their meter changed. The idea would be people that the people that don't get them changed, we actually have to go and do a card reading, which means we have to go to the property and get a physical reading. Cost more labor, administration work. They should pay a fee every quarter that it has to be done. The idea is to charge a nominal charge per quarter. Think Goshen did \$25.

Attorney Donovan: The \$25 a quarter was to give the idea to give people incentive to get the new meters.

Mayor Rumbold: They can still refuse to have their meters redone?

Manager Revella: We have to get into their house. Have a warrant.

Trustee Svarczkopf: I don't think \$25 is enough. I didn't understand at first that it was because we had to send someone and we're charging for the labor as opposed to we want this done.

Manager Revella: Not sure of the difference of discussion with a penalty as opposed to incentive. Supposed to just cover the cost.

Attorney Donovan: There's always a debate over what you're charging residents for something like this. \$25 may not be enough. You need to have some nexus. \$25 may be too low, \$100 may be too high. There needs to be some sort of basis if we're covering for someone's cost to go in there and do that.

Trustee Svarczkopf: It's not like they can go out in one day to do them all because they might not be able to get in all the homes. We now have to hire this person for multiple days. Depending on how long, I think it would need to be higher.

Manager Revella: Usually takes at least two weeks to get it done.

Trustee Thompson: I don't know what a reasonable number would be.

Attorney Donovan: Let me suggest this, if the board's in favor of the concept, maybe the Manager can pull together what would be the cost of the employee to do this and arrive at a number in that fashion.

Trustee Ramos: Once the Village becomes a 100% compliant, we still have local law on the books. Are we going to forego within a local law?

Attorney Donovan: Can always repeal a local law.

Manager Revella: I think that you leave it on, so if you do the next time, it's already on the books. Or if someone's meter goes off and don't let us in and we have to card read. They cut it so we can't read it on purpose.

Discussion – Stop Sign at Intersection of Northern Ave and Ivy Hill Rd

Manager Revella: Right now, there is a stop sign going up and down Ivy Hill. There's not on Northern, going east and west. It's a somewhat active intersection. Some of the issues are that it comes from the Town, goes through the Village to 208. The sites aren't very good. The residents in the area are talking about it and have asked that we at least discuss this.

Deputy Mayor Moore: And they have a bus stop for the Elementary School.

Attorney Donovan: I don't think anybody has an issue with it.

Trustee Svarczkopf: Has there been accidents there?

Manager Revella: A lot of near misses and actually a pedestrian - vehicle near misses, are the real concern.

Public Comment

Jerry Jacobowitz: Owner of the property on Edmunds Lane. For the record, I'd like to report that on February 19th, 2019, I received March 4th, there was an application for zoning amendments. A submission was made on August 15, 2019. Another one on August 20, 2019. Another on August 23, 2019. Another on September 2, 2019. Another on September 24, 2019. To which no response was received from anyone on behalf of the Village. I understand that you have an agenda rule that nothing can go on the agenda unless two trustees say so. In my humble legal opinion, it's illegal. You cannot constrain what an elected trustee, by the entire Village, wants to do. However, with respect to Edmunds Lane, I have submitted with the package on September 24th the draft local law. Any trustee may introduce a local law under the Municipal Law. It doesn't take a second. It can be any member of the board and a proposed law subject to your attorneys review and input. So, there's nothing constraining. The introduction of that law by any one of the members of the board. It's to have a development on Edmunds Lane that is going to generate for the Village of Walden within three years, almost \$500k of sewer and water rents, taxes, public benefits, parking fees and building and CO fees. It would seem to me that in these times of tight budgets that that's something that might motivate somebody to want to hear about it and give it consideration. You had every

opportunity to do that in the five submissions that have been made to you with all kinds of detail and statistics and information. I don't know why you were so frightened to have the public come and hear about this. You may well be against it, but that's not the issue. The issue is what's in the overall interests of the Village of Walden.

Becky Pearson: 167 Walnut. This picture of the road turning, number one, I was sitting at this red light the other day, going straight ahead and a school bus made a turn from east into the square and they made that turn without a problem. I'm not so sure why we have to take a whole parking space away. Maybe you can maybe you can make this line where they stop a little further back so that that bus can make a little more of an angle turn. Or maybe take half this space and then reline down the street, so you don't lose a whole parking space.

Payment of the Audited Bills

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

Correspondence

Trustee Thompson: When I was going out getting petitions, three residents, two from South Montgomery Street, one from North Montgomery Street and a business owner in the Stewart Plaza, all had comments to me about the East End bus company drivers with children on the buses that were speeding. I'm just letting you know that perhaps you can catch a moment with the Chief of police.

Deputy Mayor Moore: Yes, I received an invitation from the Rotary to honor in Chief and also received an invitation for the Veterans Day Ceremony.

Mayor Rumbold: I received same invitations for Veterans Day and the Rotary.

Miscellaneous Comments from the Board of Trustees

Trustee Svarczkopf: Have we given any thought to the A/V for this room? I would like to put that on the next meeting agenda.

Mayor Rumbold: I thought we were waiting for budget because that's where the money would have to come from.

Trustee Ramos: I'd like to thank Walden Community Council for their steadfast ability to take care of these Candidates on the 21st. Appreciate your time.

Deputy Mayor Moore: One of our local families, Pizarro family, is going through a tragedy again. Many of you know, Ivan was one of the children struck by gunfire at a Halloween party several years ago. Mrs. Pizarro just recently had a stroke and is in an inpatient care. The insurance is covering most of the costs for that, but it's a travel, a good 65 miles, to see her on a daily basis. Members of the community got together and were collecting gas cards for the Pizarro family. They can be dropped off at the RDAC office anytime his week. We're going to present them to them on Friday.

Executive Session – PBA, CSEA and Personal History of a particular employee

Deputy Mayor Moore made a motion to enter into executive session to discuss PBA, CSEA and Personal History of a particular employee. Seconded by Trustee Ramos. All ayes. Motion carried.

Reconvene

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

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October 15, 2019
Motions & Resolutions**

Approval of October 1, 2019 Minutes

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Public Hearing Local Law 8 of 2019 – Sign Regulations

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